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Convention on the
Rights of the Child

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COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-third session

SUMMARY RECORD (PARTIAL)** OF THE 615th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 28 January 2000, at 10 a.m.

Chairperson: Mrs. OUEDRAOGO

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ADOPTION OF THE COMMITTEE'S REPORT ON ITS TWENTY-THIRD SESSION

CLOSURE OF THE SESSION

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* No summary record was prepared for the 612th, 613th and 614th meetings.

** No summary record was prepared for the rest of the meeting.

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

The discussion covered in the summary record began at 11.45 a.m.

ADOPTION OF THE COMMITTEE'S REPORT ON ITS TWENTY-THIRD SESSION (CRC/C/94)

1. The CHAIRPERSON invited members to consider chapter I, "Organizational and other matters", chapter III, "Overview of other activities of the Committee" and chapter IV, "Draft provisional agenda for the twenty-fourth session", of the report.

2. Chapters I, III and IV of the report were adopted.

3. The CHAIRPERSON invited the Rapporteur to introduce chapter II, section B of the report, entitled "Reports by States parties under article 44 of the Convention", which contained the Committee's concluding observations on the reports of India, Sierra Leone, Costa Rica, the Former Yugoslav Republic of Macedonia, Armenia, Peru, Grenada and South Africa.

4. Mr. DOEK (Rapporteur) described the main aspects of the observations on each report.

Concluding observations of the Committee on the Rights of the Child: India (CRC/C/15/Add.115)

5. The concluding observations on the initial report of India were adopted.

Concluding observations of the Committee on the Rights of the Child: Sierra Leone (CRC/C/15/Add.116)

6. The concluding observations on the initial report of Sierra Leone were adopted.

Concluding observations of the Committee on the Rights of the Child: Costa Rica (CRC/C/15/Add.117)

7. The concluding observations on the second periodic report of Costa Rica were adopted.

Concluding observations of the Committee on the Rights of the Child: the Former Yugoslav Republic of Macedonia (CRC/C/15/Add.118)

8. The concluding observations on the initial report of the Former Yugoslav Republic of Macedonia were adopted.

Concluding observations of the Committee on the Rights of the Child: Armenia (CRC/C/15/Add.119)

9. The concluding observations on the initial report of Armenia were adopted.

Concluding observations of the Committee on the Rights of the Child: Peru (CRC/C/15/Add.120)

10. The concluding observations on the second periodic report of Peru were adopted.

Concluding observations of the Committee on the Rights of the Child: Grenada (CRC/C/15/Add.121)

11. The concluding observations on the initial report of Grenada were adopted.

Concluding observations of the Committee on the Rights of the Child: South Africa (CRC/C/15/Add.122)

12. The concluding observations on the initial report of South Africa were adopted.

CLOSURE OF THE SESSION

13. The CHAIRPERSON, after thanking all those who had contributed to the successful conduct of the Committee's twenty-third session, said that for the first time the Committee had completed consideration of eight States party reports and that at its twenty-fourth session, to be held from 15 May to 2 June 2000, it would consider nine reports, thereby reducing its backlog still further.

The meeting rose at 12.40 p.m.

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COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-fourth session

SUMMARY RECORD (PARTIAL)* OF THE 616th MEETING

Held at the Palais Wilson, Geneva,
on Monday, 15 May 2000, at 10 a.m.

Chairperson: Ms. OUEDRAOGO

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OPENING OF THE SESSION

ADOPTION OF THE AGENDA

SUBMISSION OF REPORTS BY STATES PARTIES

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* No summary record was prepared for the rest of the meeting (closed).

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The meeting was called to order at 10.10 a.m.

OPENING OF THE SESSION

1. The CHAIRPERSON declared open the twenty-fourth session of the Committee, emphasizing that the session would have a particularly full schedule, as the Committee would be considering nine reports so as to reduce its backlog. The Committee would devote a meeting to the strengthening of cooperation with various competent bodies and would discuss its methods of work at a closed meeting. It would also consider the implementation, in the five years since their adoption, of the Beijing Programme of Action and the Copenhagen Programme of Action and discuss the World Conference against Racism, for which a preparatory committee had recently held its first meeting, with the Committee represented by Mr. Doek.

2. Mr. GAHAM (Office of the High Commissioner for Human Rights (OHCHR)) emphasized that at its recent session, the Commission on Human Rights had adopted the two draft optional protocols to the Convention on the Rights of the Child relating respectively to the involvement of children in armed conflicts and the sale of children, child prostitution and child pornography. Both draft protocols provided for appeals procedures before the Committee.

3. At the same session, the Commission had also approved the establishment of a post of special representative on the situation of human rights defenders, who might be called upon to consider the rights of the child, and of two rapporteurs' posts: one on the right to adequate housing and the other on the right to food. Both those rights fell within the remit of article 27 of the Convention.

4. The general comment on the content of education which the Committee was in the process of drafting would be a useful contribution to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

5. At the beginning of the year, OHCHR had launched its first appeal to donors, a practice that subsequently would be carried out annually, in which a comprehensive Plan of Action to support the work of the treaty bodies which met in Geneva had received a good deal of attention. The comprehensive Plan of Action had been inspired to a great extent by the Plan of Action which had been adopted by the Committee on the Rights of the Child and which had broken fresh ground in that field. The comprehensive plan was aimed at ensuring more coherence and a better distribution of resources in the operation of the treaty bodies.

6. The administration of juvenile justice systems would be one of the priorities of OHCHR, which would organize an experts' workshop on the subject in 2002.

7. OHCHR was carrying out several other activities directly linked with the Committee's concerns. In particular, it was providing support for the creation of national human rights protection and promotion institutions, which had a role to play in the promotion of the rights of the child.

8. Concerning the amendment to article 43 of the Convention, only 76 States parties had proceeded with ratification. An effort had to be made to secure the 44 additional ratifications necessary for it to become effective.

9. The CHAIRPERSON noted the lack of significant progress with regard to that amendment, as only four States parties had ratified it since the previous session of the Committee. New efforts were required to raise the number of Committee members from 10 to 18 as quickly as possible.

10. Mr. DOEK asked what consequences the comprehensive Plan of Action would have for the Committee, and what kind of support OHCHR intended to provide to it.

11. Mr. GAHAM (OHCHR) explained that the spirit and letter of the comprehensive Plan of Action were primarily intended for the three committees which had themselves not yet adopted a plan of action: the Human Rights Committee, the Committee on the Elimination of Racial Discrimination and the Committee against Torture. The aim of the comprehensive Plan of Action was to establish a link between the activities of all the committees and to ensure cooperation both among the treaty bodies, and between them and other mechanisms.

ADOPTION OF THE AGENDA (item 1 of the provisional agenda) (CRC/C/95)

12. The agenda was adopted.

SUBMISSION OF REPORTS BY STATES PARTIES (agenda item 3)

13. Mr. DAVID (Secretary of the Committee) said that, since the Committee's previous session, initial reports had been received from Uzbekistan, Kenya, Mauritania, Cameroon and Greece, and that Romania, the Czech Republic, Italy, Iceland, the Republic of Korea and Viet Nam had submitted their second periodic reports. That brought the number of reports received to 183, including 146 initial reports and 37 periodic reports. The Committee had considered 118 reports; 48 initial reports and 95 periodic reports due to have been submitted had still not been received.

The discussion covered in the summary record ended at 10.35 a.m.

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COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-fourth session

SUMMARY RECORD OF THE 617th MEETING

Held at the Palais Wilson, Geneva,
on Tuesday, 16 May 2000, at 10 a.m.

Chairperson: Ms. OUEDRAOGO

CONTENTS

CONSIDERATION OF REPORTS OF STATES PARTIES (continued)

Initial report of the Islamic Republic of Iran (continued)

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The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

> Initial report of the Islamic Republic of Iran (CRC/C/41/Add.5; CRC/C/Q/IRA/1; written replies of the Government of the Islamic Republic of Iran to the questions of the Committee (document without a symbol distributed in the meeting room in English only); written replies to questions 27 and 28 of the list of issues (document without a symbol distributed in the meeting room in English only)) (continued)

1. At the invitation of the Chairperson, Mr. Khorram, Mr. Zangeneh, Ms. Choubak, Ms. Mosaffa, Mr. Cheraghchi, Ms. Kouhestani, Mr. Tabatabaie, Mr. Amin-Mansour, Mr. Ghods, Ms. Tahiri, Mr. Roshandel, Mr. Safahi, Mr. Mir-Mohammadi and Mr. Hosseini (Islamic Republic of Iran) took places at the Committee table.

2. Mr. KHORRAM (Islamic Republic of Iran) said that over half of the Iranian population was under 18 years old and that a large part of the activities of the public authorities and of private bodies was devoted in one way or another to the different aspects of children's lives. The best interests of the child were taken into consideration at all levels when the budget was planned, drawn up and disbursed, and all means were used for the promotion of the rights of the child in the social, economic, cultural and political spheres.

3. Iran, which received most of its resources from oil exports, dedicated over 20 per cent of its budget to children's services and never sought to reduce such allocations, even when the price of oil fell and the country faced serious financial difficulties.

4. Article 9 of the Iranian Civil Code stipulated that when the country acceded to an international instrument the provisions of that instrument took precedence over domestic legislation. That was the case for the provisions of the Convention on the Rights of the Child, which could be invoked directly in court. In accordance with the Constitution, several national bodies had been assigned the task of following up on and comprehensively implementing the Convention. In particular, the Article 90 Commission of the Islamic Consultative Assembly received and considered all complaints; the Supreme Court was responsible for the follow-up and full application of laws by courts of first instance; the Court of Administrative Justice considered complaints filed by individuals of violations of the law by the administrations; and the State Inspection Unit monitored the application of the law by the administrations.

5. The situation of Iranian children had improved greatly in many fields, including health, education and the law. In the report on its cooperation programme with Iran, the United Nations Children's Fund (UNICEF) had pointed out that the country had achieved nearly all the objectives it had set during the World Summit for Children for the year 2000.

6. Thanks to the efforts made by all the services concerned, including the Ministry of Health and Medical Education and the Budget and Planning Organization, considerable progress had been made in the field of health: vaccination and schooling rates at primary schools currently exceeded 90 per cent. The infant mortality rate had fallen to 26 per 1,000 live births, the child mortality rate for children under five had declined to 35 per 1,000 live births and the maternal

mortality rate had been brought down to under 40 per 100,000 live births. Over 85 per cent of births took place at health establishments with the assistance of trained birth attendants. Nearly all children both in rural and urban areas had access to health and education services. Thanks to respect for Islamic values, the mistreatment and economic and sexual exploitation of children were very rare in comparison with other countries.

7. The enrolment ratio of girls in primary education had increased from 86.3 per cent in 1990 to 94.5 per cent in 1998, a rise of some 8.3 percentage points. For boys it had risen from 92.4 per cent to 96.8 per cent, an increase of 4.4 percentage points. In 1999, 56 per cent of students at Iranian universities were women. Those figures testified to the Government's desire to improve education of children in general and of girls in particular. In order to achieve such results, the Government had opened schools in the least populated villages, given priority to the recruitment of local teachers, gradually set up separate classrooms for girls and boys, made the population aware through the media and religious leaders of the importance of education, and furnished free meals at schools in remote and disadvantaged areas.

8. The students at each secondary school in the major cities elected a "school mayor" to represent them with the school administration and to cooperate with it in various fields (for example, in maintaining discipline and in consultations). Young persons could from the age of 15 become members of the National Centre for Youth, which fostered dialogue among adolescents. A consultative assembly of children and youth had been set up on an experimental basis in Kurdistan in 1998. Its members, who were elected by the students of the secondary schools, cooperated with the Governor, who was obliged to receive them every month to consider the main problems encountered by youths. The experiment had had such encouraging results that it was planned to expand it to all the country's provinces.

9. Numerous national bodies, including the Ministry of Islamic Guidance, the Islamic Human Rights Commission, Iranian radio and television and individuals - film directors, artists, teachers - had made enormous contributions to public awareness activities, and by so doing had helped to achieve the objective of ensuring children's rights.

10. There was no specific mechanism for the collection of data concerning children. The relevant information was collected and analysed by the various ministries (including the Ministry of Health and Medical Education and the Ministry of Culture and Higher Education, as well as the Iranian statistics office, the public registry service and the Budget and Planning Organization. However, the Government was planning to set up a service under the Office of the President to collect and analyse data and to plan and follow up on all political, social, economic and cultural programmes for children, including monitoring of the application of the Convention.

11. Iran, in which numerous ethnic and religious minorities had always lived together in harmony, was undertaking to eliminate all forms of discrimination. The Constitution recognized that all Iranians were entitled to enjoy all fundamental rights without regard to their sex, colour, religion, race, ethnic origin or language. Followers of the four religions recognized by the Constitution (Muslims, Christians, Jews and Zoroastrians) elected their representatives to Parliament, where the non-Muslim minorities were in fact over-represented so as to ensure better protection of their rights. Those minorities were able to educate their children in their own language and religion or could send them to ordinary schools. In addition, the Iranian

Government had taken new steps to strengthen the fundamental rights of all religious minorities, including those which were not among the four officially recognized faiths. The Council of Expediency had adopted a series of regulatory provisions concerning the rights of citizens which gave pride of place to the principle of equality before the law and in the exercise of social and political rights of all Iranians, including children.

12. Located on the main transit route for narcotics coming from Afghanistan, Iran had in the past 20 years spared no effort in assigning human and financial resources to stem the flow of illegal drugs into its territory. It had on numerous occasions requested the assistance of the international community, and in particular of consumer countries, to combat that phenomenon, which represented a serious threat for its population, including children. It hoped the Committee would support that request, which had so far not elicited a satisfactory response.

13. The CHAIRPERSON noted that the form of the initial report generally followed the guidelines drawn up by the Committee, but that it did not include a section on general protection measures. As for the content, the report was not sufficiently critical; it was based entirely on the legislation and did not point to the difficulties encountered in applying the Convention, although the information in the written replies to the list of issues and in the oral presentation of the report compensated somewhat for that shortcoming. Furthermore, Iran so far did not appear to be considering the withdrawal of the general reservation which it had filed, invoking its will strictly to apply the Shariah.

14. Mr. DOEK noted with satisfaction that despite the difficulties which it had encountered, the Islamic Republic of Iran had made some considerable progress, in particular in the fields of education and health, and had achieved nearly all the objectives enumerated in the Plan of Action adopted at the World Summit for Children. On the other hand, since Iran was not intending to withdraw its reservation concerning the application of the Convention, could the Iranian delegation give more precise information on the meaning of that reservation by citing provisions or articles of the Convention which were at variance with Islamic law and the legislation in force?

15. Furthermore, it would be useful to know to what extent children could invoke the laws and the Constitution when their rights were violated. Could they exercise remedies as referred to in paragraph 54 of the core document? Could they at their own initiative bring a case before a court or another appropriate body in the justice system, and were they given legal counsel?

16. Mr. FULCI noted that the report dealt mainly with legislative provisions, without presenting a critical evaluation of the situation of children in the country and without providing sufficient information on observance of the principle of non-discrimination, on the civil rights of children and in particular their freedom of expression and of religion, and on the administration of justice.

17. The report appeared to present children from a paternalistic point of view, while the Committee considered that children must play an active role in human rights. From the historic standpoint, Shiite Islamic law, which Iranian legislation codified, and upon which it was to a great extent based, had been very innovative in protecting children a few centuries before, but its rules had changed very little since that time. It would therefore be desirable to find out whether

the Islamic Republic of Iran intended to withdraw its reservation concerning the Convention so as to permit the rules of international law, which it had accepted, to prevail over those of domestic law, whether a committee had been set up for that purpose and what conclusions it had drawn.

18. The report contained no information on international development cooperation, although it was relatively extensive in the country. Some supplementary information on international and bilateral aid given to Iran and on the extent to which international cooperation facilitated the application of the Convention would be most welcome.

19. Ms. EL GUINDI asked how the activities of the numerous organizations dealing with children's issues were coordinated in Iran and how cooperation and coordination with non-governmental organizations (NGOs) was carried out. Had any mechanisms been set up to collect and analyse data and indicators relating to children? Since the domestic law and the Shariah stipulated that boys and girls were equal, had any measures been taken to prevail over tradition and protect the rights of girls, in particular in respect of early marriage, education, health care and recreational activities?

20. Mr. RABAH said he had noted in 1995 that certain NGOs working with children in Iran had been the subject of some reservations, and asked what the situation was five years later. Had NGOs cooperated and coordinated their work with government bodies, in particular in drawing up the report? The report did not refer to any plan of action or strategy for the next decade. Did the Government intend to bring domestic law into line with the Convention? What share of the national budget was earmarked for children's programmes? Was there specific legislation covering juvenile offenders?

21. Ms. TIGERSTEDT-TÄHTELÄ felt that the issues of gender equality and the rights of each child were not sufficiently covered in the report and the written replies. Iran apparently still had no single mechanism to monitor observance of the rights of the child. Was there a coordinating office for the various bodies dealing with that question? Had the financial situation of the country improved since the price of oil had risen? What portion of the national budget was attributed to health, education and social protection?

22. Ms. KARP said she was very concerned about the reservation that Iran had made regarding the Convention, in particular because it appeared to reflect a lack of understanding of its impact on the everyday life of children. How did children accept the idea that their rights were restricted by the Shariah? Had any consideration been given to setting up a committee to determine whether it would be possible to follow the example of other Islamic countries and to interpret the Shariah more liberally?

23. Some legislative texts had reportedly been amended, and in particular an article of the Civil Code had been changed so that women could in some circumstances retain custody of their children when it was in their best interests. Had any steps been taken to make those amendments known to the public, including children? Were the Convention and human rights in general taught as part of the school curriculum, and if not, were any measures planned toward that end?

24. In general, the Islamic Human Rights Commission dealt with such rights. Were there any plans to give it a specific role with respect to the rights of the child? Could the Iranian delegation provide examples to illustrate how that Commission dealt with children's complaints? Could it act as a mediator and contribute to the overall improvement of policies and practices relating to children?

25. Lastly, had any measures been considered to eliminate the discrepancy between the age for mandatory schooling and the age from which children were authorized to work? There was still discrimination between boys and girls with respect to the age of criminal liability and the legal age for marriage. What was the logical basis for such discrimination?

26. Ms. MOKHUANE asked what measures had been taken to make the Convention known in society. What were the children's views with regard to the Convention which addressed their rights? It appeared that there was little coordination in the application of the Convention. No national plan had been established for its implementation. Had civil society, the media and children taken part in its implementation?

27. Ms. RILANTONO commended Iran for its success in the field of health, and in particular in regard to vaccinations. Had an effort been made to ensure community participation so that the progress it had made would endure? Could the Iranian delegation provide more precise information on the way in which the implementation of children's rights was supervised?

28. Mr. DOEK asked whether the Islamic Human Rights Commission was empowered to take binding decisions, in particular with respect to compensation for victims of human rights violations. Certain information suggested that magistrates were not sensitive to women's and girls' opinions and preferred to take the opinions of men into consideration. Had a strategy, a policy or a plan been drawn up to make the Convention and its meaning systematically known to magistrates?

29. The CHAIRPERSON asked for more information on the training given to specialists who dealt with children's issues.

The meeting was suspended at 11.20 a.m. and resumed at 11.45 a.m.

30. Mr. KHORRAM (Islamic Republic of Iran), noting the negative appraisal expressed by some Committee members of his country's reservations to the Convention, emphasized that, in any country with a large bureaucracy, time was needed to approve or adopt decisions. The Iranian authorities had consulted and were continuing to consult various governmental organizations and NGOs on the subject of the Convention, and their position was not set in stone. From the examination of the compatibility of the Convention with both domestic and Islamic law, no fundamental contradictions had so far emerged, and Iran would make its definitive position known once that examination process had drawn to an end.

31. Ms. CHOUBAK (Islamic Republic of Iran) pointed out that a meeting had been held at the Office of the Prosecutor General with eminent magistrates and legal specialists to consider the Convention in detail and compare each of its articles with the provisions of domestic law, in particular in respect of the situation of women. That process, which also included the

participation of the UNICEF representative in Iran and the representatives of administrations involved in work with children such as the police and rehabilitation services, was still under way and should very soon achieve some concrete results. It already appeared that the Convention's provisions were in no way incompatible with domestic law.

32. Concerning the application of the article of the Civil Code which had been amended two years previously, she recalled that all laws were published in the Official Journal after consideration, adoption or ratification by the Islamic Consultative Assembly and the Council of Guardians. Furthermore, the article in question was very often invoked by the courts.

33. Mr. ZANGENEH (Islamic Republic of Iran) said that under article 220 of the Code of Civil Procedure a child or adolescent could be represented by a lawyer before a criminal court. If the parents were unable to provide a lawyer for the child owing to financial or other constraints, the child was assigned a court-appointed lawyer. The presence of a lawyer was mandatory at all stages of the procedure. The Iranian Penal Code stipulated that minors had no criminal liability. The cases of offenders under 18 were sent to a specialized court where they were represented by their parents, a lawyer or a social worker, and which took into consideration the health, psychological status and general situation of the defendant when handing down its ruling.

34. Mr. KHORRAM (Islamic Republic of Iran) said that the coordination of the various government bodies responsible for collecting and processing data was carried out by the Planning and Budget Organization, which was under the authority of the President, but that each body individually collected and analysed its own data, which it then submitted to that institution. The third five-year plan called for the establishment of an office for children's affairs, which would also be under the supervision of the Office of the President.

35. His country was in favour of any bilateral or international aid which could assist in the application of the Convention, and maintained excellent relations with UNICEF, the United Nations Development Programme (UNDP) and other organizations. Iranian magistrates and academics had taken part in discussions concerning the Convention and youth at two workshops held by UNICEF in the past two years, respectively in Austria and Switzerland.

36. While he was unaware of the relations with NGOs in 1995, he emphasized that in Iran there were currently some very active and well-organized NGOs working for women and children, which operated without any hindrance. The very powerful Human Rights Commission cooperated with various NGOs. The Commission and such organizations sometimes criticized the public authorities and brought pressure to bear on them to increase the share of the budget allocated to children.

37. Ms. KOUHESTANI (Islamic Republic of Iran) pointed out that nearly half of the State budget was allotted to social spending, education and health, all of which directly concerned children.

38. Ms. MOSAFFA (Islamic Republic of Iran) emphasized that NGOs, and those which catered for children in particular, had an increasingly important place in Iranian society. Such organizations were systematically consulted by State bodies. They cooperated with the

ministries concerned and took part in planning seminars, offering scientific advice. As the Convention stipulated that children should be able to meet and form associations, organizations composed of children themselves were another valuable resource. The Iranian United Nations Association for its part held many activities and took part in the implementation of several projects. A national seminar which was to include children was soon to be held in cooperation with UNICEF.

39. In cooperation with UNDP, the University of Tehran was currently carrying out a rights of the child programme under which children's awareness workshops were to be scheduled for December 2000 with the aim of translating the rights of the child into reality in the Islamic Republic of Iran. Another project had the objective of strengthening international cooperation in the field of human rights, and in particular the rights of the child.

40. Mr. TABATABAIE (Islamic Republic of Iran) said that many NGO groups worked in cooperation with the Social Protection Organization, for example in providing pre-school education, caring for disabled children and protecting disadvantaged children. The organization was responsible for meeting the needs of such charitable associations by setting out criteria, standards and tools governing their activities.

41. The Social Protection Organization had also made available two emergency hotlines to allow victims of child abuse to file complaints and receive support services. In addition, it had taken on a team of specialists, supported by legal advisers, who provided services specifically for children, helping them find a place in the family environment and ensuring that the perpetrators of child abuse would be prosecuted. Sentences had already been handed down in that type of case.

42. Mr. KHORRAM (Islamic Republic of Iran) pointed out that while disparities had traditionally existed between boys and girls, in particular in the countryside, the Iranian State and society were endeavouring to reduce them. Primary and secondary education were thus mandatory for all Iranian children, whether they were boys or girls. In fact, there were more women than men enrolled in higher education. Generally speaking, there were no major disparities between boys and girls which would justify specific action by the public authorities.

43. There were numerous publications for children, and Iran had some very young artists and intellectuals, such as the 20-year-old movie-maker whose second film was in the running for the prize of best film at Cannes.

44. Mr. DOEK urged the Iranian Government to reconsider the age of maturity in its definition of the child, which stood at 14 years, 7 months for boys and 8 years, 9 months for girls. That discrepancy was discriminatory against girls in terms of legal liability and the age for marriage.

45. He asked for statistics concerning the number of children born out of wedlock and their single mothers. Was there a procedure to establish paternity? How did the State party intend to solve the problem of discrimination against children from unrecognized religious minorities such as the Baha'is, and undeclared refugee children?

46. Ms. KARP asked whether boys over the age of 14 and girls over 8 were indeed legally liable, and if so whether they could, as adults, be sentenced to death. Had children under the age of 18 received the death penalty? Did the Islamic Republic of Iran plan to bring its legislation into line with the provisions of the Convention prohibiting the death penalty for children?

47. Iranian legislation apparently provided no penalty for a person who raped a child unless the offending party was a married man, and before receiving compensation from the rapist the victim's family was obliged to pay a certain amount to the perpetrator. She had also heard that in cases of infanticide a mother would be subject to the death penalty but a father would not run the risk of any punishment at all. Did the delegation consider such discriminatory provisions compatible with the obligations of the State party to protect the physical integrity of the child as set out in the Convention?

48. Were there plans to organize other conferences such as the one held in 1998 on children's participation? Had the opinions and ideas expressed by the children who had attended that event been followed up in any way?

49. Lastly, the conditions for child custody, which gave more weight to the responsibility of the father, should be reviewed, taking into consideration the best interests of the child, in particular in cases of remarriage or emigration of the mother.

50. Ms. MOKHUANE asked what criteria served as a basis for establishing the primacy of the father's responsibility, which was at variance with the provisions of the Convention. How were the best interests of the child defended if the father, who had custody, was not responsible in his conduct? Did the mother have the opportunity to appeal to a court to defend her rights? It would be useful to have statistics on the number of children for whom custody had been given to the father.

51. Mr. RABAH asked how the Iranian Government planned to solve the problem of discrimination, which affected women from the very beginning of their lives.

The meeting rose at 1 p.m.

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COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-fourth session

SUMMARY RECORD OF THE 618th MEETING

Held at the Palais Wilson, Geneva,
on Tuesday, 16 May 2000 at 3 p.m.

Chairperson: Ms. OUEDRAOGO

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CONSIDERATION OF REPORTS OF STATES PARTIES (continued)

Initial report of the Islamic Republic of Iran (continued)

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The meeting was called to order at 3.10 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Initial report of the Islamic Republic of Iran (continued) (CRC/C/41/Add.5; HRI/CORE/1/Add.106; CRC/C/Q/IRA/1; written replies of the Government of the Islamic Republic of Iran to the questions raised in the list of issues (document without a symbol distributed in the meeting room in English only))

1. At the invitation of the Chairperson, the members of the delegation of the Islamic Republic of Iran resumed places at the Committee table.

2. The CHAIRPERSON invited the members of the Committee to put further questions to the delegation regarding general measures of implementation, the definition of the child, general principles and civil rights and freedoms.

3. Mr. FULCI noted that, with regard to discrimination, the State party report dealt only with gender discrimination. He requested information on discrimination against children born out of wedlock, those belonging to religious or ethnic minorities, refugee children and children who were not Iranian nationals. Information on the disparities between the situations of children living in rural and urban areas and disaggregated data on all the groups mentioned would also be appreciated. The formal guarantees of non-discrimination in the Constitution were not backed up by national legislation and customs. In the light of article 2 of the Convention, he asked the delegation to comment on the enjoyment of rights by children born out of wedlock, especially in terms of inheritance, maintenance, custody and parental responsibilities, and on the implementation of the 1997 law on children born out of wedlock. He would also like to know whether it was compulsory in the Islamic Republic of Iran for the name of a child's father to be indicated on the child's passport or identity documents, as such a requirement often led to discrimination against children whose fathers were unknown. He asked whether any measures had been taken to guarantee the rights of children belonging to ethnic and religious minorities, including non-recognized religious communities.

4. He asked whether the Government of the Islamic Republic of Iran had considered establishing an independent entity accountable to parliament, such as an ombudsman, to monitor the observance of children's rights as the Committee frequently recommended.

5. Ms. EL GUINDI, noting that paragraph 37 of the report did not mention the nationality of children born to an Iranian woman whose husband was a foreign national, asked what the situation of such children was.

6. Ms. TIGERSTEDT-TÄHTELÄ said the report dealt at length with the way in which the rights of children were taken into account at the collective level, for example in decisions made by the Government, local authorities or the courts. However, some rights were applicable at an individual level, particularly the principle of giving primary consideration to the best interests of the child, the right of children to express their views, the right to be protected against

discrimination and the right to life, development and survival. She would like to know whether the Government of the Islamic Republic of Iran had given consideration to the philosophy of individual rights. She would also like to know whether the right to vote at the age of 16 applied to both girls and boys.

7. The CHAIRPERSON, noting that paragraph 26 of the report contained information about respect for the views of the child in administrative and legal contexts, requested additional information about the extent to which the views of the child were taken into account within the family and society. She asked whether the courses provided for families gave guidance to parents on that point. She would also like to know how the High Council of Youth functioned and whether it was represented in rural areas.

8. She was concerned that, according to paragraph 30 of the report, the birth of a child had to be registered within 15 days. Did the delegation not feel that that period was too short? She asked what provisions were in place to help parents register the birth of a child within the prescribed time. She would also appreciate information regarding the status of children whose birth had not been registered and what happened to parents who could not afford to pay the fines imposed as a result of non-registration.

9. Mr. KHORRAM (Islamic Republic of Iran), replying to a question raised at the preceding meeting, said that programmes in the field of children's rights were stepped up whenever the country received extra revenue as a result of an increase in the price of oil. The system of consultations between "School Mayors" and provincial governors had been tested in one province and was to be extended to other provinces.

10. In reply to Ms. Karp's question about whether the Convention formed part of the school curriculum and whether children were aware of its provisions, he said that books and leaflets had been published in Farsi for children in kindergarten and primary school, containing extracts from the Convention and pictures. It was hoped that similar material would be published in the near future for children of secondary school age. The Convention had been translated into Farsi and an edition incorporating a handbook had also been published.

11. Mr. ROSHANDEL (Islamic Republic of Iran) said that most of the principles enshrined in the Convention, such as those relating to peace, equal rights for boys and girls, respect for family life, health, the environment and freedom of expression, were included in the school curriculum indirectly. Pupils, particularly girls, were encouraged to express their opinions. Material dealing with the rights of the child, aimed at both teachers and pupils, had been published in cooperation with UNICEF. One example was a series of booklets for schoolchildren entitled "We have the right", containing the provisions of the Convention. Workshops for teachers had also been held on the subject of how to teach children's rights in schools and how to encourage children's participation in activities relevant to them.

12. Technical education began at primary school and continued in the first years of secondary school; however, it was given greater emphasis during the final three years of secondary school, when pupils could choose from a range of vocational courses.

13. Ms. MOSAFFA (Islamic Republic of Iran) said that the Islamic Human Rights Commission had been set up following a proposal made by the United Nations; its members were representatives of Parliament, universities and non-governmental organizations (NGOs). It played a very important role in promoting a culture of respect for human rights in Iranian society and had achieved considerable progress in improving awareness of human rights issues among the general public. The Islamic Human Rights Commission was made up of four committees, one of which was responsible for issues relating to women and children. There was also a unit within the Commission responsible for investigating complaints, although rulings on complaints were made by the judicial authorities. The Commission had organized training courses and seminars on the rights of the child, including courses for judges, and was working on proposals to establish a master's degree and a doctorate in the field of human rights. The Commission had been active in promoting the various international human rights instruments, including the Convention on the Rights of the Child, within the context of the United Nations Decade for Human Rights Education. It also cooperated with international NGOs working in the field of human rights and had participated in a workshop held in Tehran in 1998 which had placed special emphasis on the need to respect the rights of the child.

14. Mr. KHORRAM (Islamic Republic of Iran), replying to a question on the definition of the child, said that the age of maturity for girls, according to Islamic law, was traditionally deemed to be nine years. For both boys and girls, different minimum ages were applicable in different spheres of life; for example, the minimum age for voting in elections was 16 and the minimum age for military service and for assuming financial responsibilities was 18.

15. Mr. CHERAGHCHI-BASHI (Islamic Republic of Iran) said that research conducted on a scientific basis by the Ministry of Health and Medical Education had concluded that the age of maturity for girls should be raised from 9 years to 13.8 years.

16. Mr. KHORRAM (Islamic Republic of Iran) said that that research had been conducted following discussions involving the judiciary and the clergy. The minimum age for employment was 15. A recent development was that children under the age of 18 who committed a crime were sent not to prison but to special centres for education and training.

17. Mr. CHERAGHCHI-BASHI (Islamic Republic of Iran) said that the primary health-care system was highly developed and that the Islamic Republic of Iran was one of the few countries in which medical education had been integrated into the health system. The health system covered over 85 per cent of rural areas and all urban areas. In rural areas, Health Houses served as the basic health unit, with each serving a population of approximately 1,500 either in a single village or in a cluster of villages. Two behvarz, or community health workers, were assigned to each Health House, and were responsible for 10 aspects of primary health care: health education; treatment of local endemic diseases; maternal and child health; sanitation and environmental health; nutrition; provision of essential drugs; control of communicable diseases; immunization; mental health and school health. The staff at Health Houses were on call 24 hours a day. In urban areas, Health Centres provided the same services. Each Health House or Health Centre maintained medical files on all the families in the population it covered. Health education was an integral part of the health system, and the community was generally very involved in the effort. Women health volunteers, for example, provided health education to the community and facilitated communication between the community and the health system.

18. Mr. KHORRAM (Islamic Republic of Iran) said that the minimum age for marriage had been set by a ruling of the judiciary at 13.8 years for girls and just over 15 for boys. In practice, the minimum age for marriage was approximately 19. Replying to a question about the judiciary's awareness of the rights of the child, he said the Government encouraged contacts between members of the judiciary and NGOs, international organizations and foreign countries. It had arranged for high-ranking judicial officials to attend the sessions of human rights bodies in Geneva and New York. Judges and other judicial personnel had also been sent to countries in Asia and Europe, and to Canada. The members of the judiciary were sensitive to human rights matters and were interested in such exchanges of views. However, change would take time. An encouraging development had been the judiciary's request that the Government should carry out research to establish the age of maturity of girls.

19. Ms. CHOUBAK (Islamic Republic of Iran) said that children born out of wedlock were considered to be Iranian citizens in accordance with article 976 of the Civil Code. A Supreme Court ruling of 1976 had established that the child's father was responsible for applying for an identification card. When the father was unable or unwilling to do so, the Personal Status Registration Act enabled the mother to register the child with the Department of Personal Status Registration. In such cases the child was given the mother's surname. A single mother could apply for assistance from the authorities.

20. If the child had neither a mother nor a father, the authorities designated a legal guardian, and the appropriate Government ministry took responsibility for the child's care. The Act Concerning Protection of Children Without Parents had been adopted in order to govern such cases. It contained criteria for the adoption of orphans by couples without children. Children were placed in adoptive families for an initial probationary period of six months, after which, if the situation was satisfactory, the adoption was made permanent. There was no discrimination against adopted children, who were given equal treatment to that of natural children once the adoption was made official. In cases of divorce or the death of one parent, the law applied the same treatment to adopted children as to children born to the couple.

21. Mr. KHORRAM (Islamic Republic of Iran) said that the situation of persons who followed non-recognized religions and beliefs such as the Baha'i faith had improved since the recent adoption of a new law. Baha'is were currently able to obtain certificates and to register for schooling. It was hoped that any remaining difficulties experienced by other groups would soon be overcome.

22. Replying to questions by Ms. Karp, he said that in the past 20 years death sentences had been handed down for three people who had been under 18 at the time of their crimes; in all three cases the Supreme Court had ruled against execution. Both married and unmarried rapists were subject to prosecution under the same terms. It was not true that a mother who was found guilty of infanticide faced the death penalty and that a father who committed infanticide did not. A follow-up conference to the 1998 conference on child participation had been held, and more were scheduled.

23. Mr. TABATABAIE (Islamic Republic of Iran) said that he would like briefly to describe the activities of his section of the State Welfare Organization, which was responsible for working with children and young people. There were three main areas of activity: a programme for

pre-schoolers; services for vulnerable children and psychological and medical assistance for victims of child abuse and exploitation. Pre-school activities comprised physical and mental testing of children and day-care services for about 600,000 pre-schoolers in 3,600 centres. Children at such centres were informed in very simple language of their rights under the Convention.

24. Services were also provided for children with special needs, aimed at integrating them into their families and society and developing their abilities to the fullest extent possible. Programmes for vulnerable children were aimed in particular at raising awareness of the problems of child abuse, drug abuse and exploitation, at returning street children to their families and at providing expert opinions concerning the best interests of the child to judges hearing divorce cases.

25. The CHAIRPERSON asked whether the working group established to address contradictions between Islamic law and the Convention and Iran's reservation to the Convention had taken the experience of other Islamic States into consideration.

26. Mr. KHORRAM (Islamic Republic of Iran) said that the Government was doing its best to determine whether the country's reservations to the Convention and other human rights instruments were necessary. Iranian representatives held meetings with those of other Muslim countries periodically to discuss such matters. In 1998 a conference of Islamic scholars and the United Nations High Commissioner for Human Rights had been held at the United Nations Office at Geneva to discuss Islamic commentary on the Universal Declaration of Human Rights. The Government did not seek a special interpretation of Islam in order to make it compatible with human rights instruments, but was interested in openly and frankly comparing its own interpretation and practices with those of other Islamic States. It had so far encountered no obstacles in implementing the Convention, and it wished to advance as it had with respect to the Universal Declaration of Human Rights. The Islamic Republic of Iran was a dynamic society attempting best to make progress in the field of human rights in a climate of open debate.

27. Mr. DOEK, referring to children who committed offences, asked on what basis decisions were taken to send children to correctional institutions and what criteria were used to determine how long they stayed. Was there a service in charge of monitoring conditions at such centres? What sort of rehabilitation programmes were undertaken there? Did staff or directors have the authority to punish the children, and if so, was corporal punishment authorized? The legislation in force suggested that corporal punishment was permitted within certain limits, not only at such institutions but in the family as well. Could the delegation describe those limits? The Committee was, of course, very much against the use of corporal punishment.

28. Ms. RILANTONO suggested that the definition of a child in Iran needed to be reconsidered. The report gave a number of different minimum ages for performing various activities: 12 years for agricultural work (para. 4), 16 for military training, 17 for joining the police, 19 for conscription to the army (para. 172). "Young workers" worked half an hour less than "ordinary workers" (para. 191), but it was not clear what age those workers were.

29. She wondered whether Iran had ratified ILO Conventions Nos. 138 (Minimum Age) and 182 (Worst Forms of Child Labour). She would also like to know why malnutrition rates were so high, particularly in view of the reduction in child mortality (para. 120).

30. Mr. FULCI asked whether the NGO Human Rights Watch was correct in stating that Iran was one of only six countries that still executed persons below the age of 18. If so, when was the last time a child had been put to death and for what reason?

31. It appeared from article 976 of the Civil Code that marriage between Iranian women and foreign men would not be recognized if it did not have the Government's consent. That appeared to apply especially in cases of marriage to Afghan refugees: it was reportedly impossible for their children to obtain Iranian nationality or birth certificates.

32. Mr. ZANGENEH (Islamic Republic of Iran), replying to Mr. Doek's question concerning juveniles in correction centres, said that the correction and rehabilitation centres were monitored by the Organization of Prisons, Safeguard Measures and Training. A judge always helped review cases requiring a decision to send a young offender to a correction centre. The law provided children with guarantees and a range of remedies in case of complaint against their guardians or the judicial authorities.

33. Mr. TABATABAIE (Islamic Republic of Iran) said that offenders under 18, particularly first offenders, were seen not as criminals but as people in need of care. The disciplinary approach had given way to one based on re-education, reintegration and the prevention of recidivism.

34. Ms. CHOUBAK (Islamic Republic of Iran) said that children could be sent to a correction centre after a hearing if they were convicted of an offence. They were segregated by age group and sex. They had visiting rights and access to a wide range of cultural activities.

The meeting was suspended at 5.05 p.m. and resumed at 5.15 p.m.

35. Mr. GHODS (Islamic Republic of Iran) said that labour law in Iran set 15 as the minimum age of admission to employment. The reference to a minimum age of 12 for agricultural work was not correct. Anyone found guilty of employing persons below the age of 15 was liable to punishment, including prison sentences. Specific regulations governed "adolescent labour", i.e. workers aged between 15 and 18: they were forbidden by law to do heavy or hazardous work; they were required to undergo a medical examination before starting work, and they worked shorter hours. Special health guidelines had been drawn up by technical and medical experts.

36. Mr. CHERAGHCHI (Islamic Republic of Iran), replying to a question on malnutrition, said that a recent survey carried out with the help of UNICEF showed that malnutrition among the under-5s varied widely from province to province, ranging between 1.1 per cent and 11.3 per cent; the average rate was 4.9 per cent. Iran recognized the problem and the Third Social and Economic Development Plan included measures to improve child nutrition.

37. Mr. KHORRAM (Islamic Republic of Iran) said that three death sentences had been passed on children in Iran in the last 20 years, but the Supreme Court had not permitted them to be carried out.

38. With regard to article 976 of the Civil Code, children were recognized as Iranian if one of their parents was Iranian. Replying to the question concerning Afghan refugees, he said their children were recognized as Iranian if the refugees were under UNHCR protection and the other parent was Iranian. However, if the marriage was illegal or one of the parents was an illegal refugee and not recognized by UNHCR, the children were not recognized as Iranian. Generally speaking, Iranian women did not require government permission to marry foreigners, but they did require the Government's consent to marry refugees.

39. Ms. KARP asked whether there were juvenile correction centres throughout the country. She wondered whether the underlying basis for sentencing children was the regular penal code or whether different legislation existed for children. What were the criteria for deciding whether to send a juvenile to a correction centre and who set the length of the sentence? Any deprivation of liberty was a form of punishment and must therefore be regulated by law: the offence must be clearly defined and the child must know exactly what the sentence would mean.

40. It seemed that, on reaching the age of majority - 8 years for girls and 14 for boys - children were dealt with under the regular criminal law. If that was so, how could Iran's system comply with the Convention, given that, for example, life sentences and the death penalty could not be applied to children aged under 18? Was amputation applied to children?

41. According to the Committee's information, judges in Iran did not apply legislation dating from before the revolution. That implied that, in areas not covered by post-revolution legislation, they applied their own expertise rather than the law. She wondered how criminal law could be applied under such a system, given that there should be explicit definitions of offences and punishments.

42. She was happy to learn that the country was undertaking research into new criteria for establishing girls' maturity; however, under the Convention maturity was determined not by scientific research but by age. Children must be in position to exercise their rights to the full, on the basis of non-discrimination. She therefore recommended that national legislation should not refer to girls and boys separately. Protection should be provided until the age of 18 regardless of the child's maturity. Although the average age of marriage was 19, girls in Iran sometimes married at a very young age, with all that that entailed. She therefore urged the delegation to give serious thought to the genuine protection of children.

43. Mr. KHORRAM (Islamic Republic of Iran) said that children under 18 attended correctional centres nationwide. While the ages of liability were 9 and 15, punishment was deferred to the age of 18. Neither the death penalty nor a life sentence was imposed on children under 18, a provision which had been in force well prior to Iran's accession to the Convention. He regretted Ms. Karp's disapproval of scientific research for establishing the age of maturity, but his country must pave its own way. Iran possessed a dynamic society; it reached conclusions and implemented them.

44. The CHAIRPERSON said that the Committee members wished to obtain a clear grasp of the situation in Iran and to understand how the country promoted children's rights. Given the time constraints, she invited the delegation to reply in writing to questions left pending. She invited the members to put questions to the delegation on family environment and alternative care; basic health and welfare; education, leisure and cultural activities and special protection measures.

45. Mr. RABAH asked whether the high illiteracy and school drop-out rates in Iran were broken down according to gender. He asked what role NGOs played in the reportedly serious problem of street children in Tehran, one that lent itself ideally to Government-NGO cooperation. Did bilateral agreements exist between Iran and Afghanistan, Iraq and Turkey in the light of alleged abductions of children from border areas?

46. Mr. DOEK asked whether there was a special policy for promoting a family environment for children who lacked one. He wished to know whether they were taken in by relatives and whether anything was done actively to promote and recruit foster families. Were there forms of adoption other than the "kafala" system of Islamic law?

47. Mr. KHORRAM (Islamic Republic of Iran) said the illiteracy figures referred to by Mr. Rabah were incorrect. New international data indicated that Iran had an excellent education system. During the post-revolution era special programmes and measures had been established to reduce illiteracy.

48. Mr. TABATABAIE (Islamic Republic of Iran) said the project for street children had begun in 1978. Social workers made contact with the children and steered them towards appropriate facilities established throughout the country, where medical and psychological care was available. The system in place for children deprived of a family environment involved NGOs and aimed at creating a family atmosphere, keeping the children in small groups. Attempts were being made to enhance the protection of such children by arranging for them to be cared for by childless couples who met the requirements. Of some 6,000 children living in those circumstances, more than 50 per cent had been placed in foster homes subject to government supervision.

49. Mr. KHORRAM (Islamic Republic of Iran), replying to a question by Mr. Rabah, said that the school enrolment figures were 94.5 per cent for girls and 96.8 per cent for boys. The illiteracy rate, which had stood at 30-34 per cent before the revolution, had declined to under 6 per cent. It was true that narcotics were smuggled across the borders with Iraq and Afghanistan; Iran maintained agreements with all its neighbours.

50. The CHAIRPERSON stressed the importance of bilateral agreements, as the Committee had been informed that the abduction of children from Iran was a serious problem. She invited Mr. Doek, as Country Rapporteur, to present preliminary conclusions on behalf of the Committee.

51. Mr. DOEK (Country Rapporteur) thanked the delegation for its willingness to engage in a constructive dialogue with the Committee and noted Iran's achievements in respect of the World Summit for Children, particularly in education and health care. The Committee was

disturbed at the situation of girls in Iran. Despite the Government's endeavours to improve their situation, legislation alone would not suffice; the problem called for radical changes in attitudes and cultural values in order to extirpate prejudices deeply rooted in the society. That, in turn, called for extensive campaigns with the help of civil society and religious leaders, who played an important role in Iranian society.

52. The Committee had found it difficult to grasp the juvenile justice system with any precision. While it was aware that efforts were made to address juvenile crime in a non-criminal way, it was nevertheless concerned at the treatment given to children under 18. He recommended more clarity and, to that end, more legislative practice.

53. As Iran endeavoured to comply with the relevant ILO conventions on child labour, he wondered why it was reluctant to ratify ILO Convention No. 138. Turning to civil rights and freedoms, he said that while many Covenant provisions were covered by Iranian legislation, the Committee would be interested to know how they were implemented on a daily basis. For instance, to what extent were children (especially girls) able to exercise their rights and, how much assistance could they receive from the Ombudsman?

54. The CHAIRPERSON invited the delegation to make concluding remarks.

55. Mr. KHORRAM (Islamic Republic of Iran) thanked the Committee for its constructive questions and helpful observations. His delegation had tried to be as frank and open as Iran itself, which, although its record was not perfect, was doing its utmost to meet the Committee's expectations. He hoped that a compromise could be reached to enable Iran to maintain its reservation to the Convention, about which it felt strongly. While it respected the Covenant, it preferred a different interpretation of certain aspects, such as age limits.

56. His delegation had learned a great deal from the Committee's recommendations and had even been entertaining similar ideas. Those matters would be discussed with different countries and international organizations in an effort to receive guidance. The President of Iran had declared that Iran would observe 2001 as the Year of Dialogue among Civilizations. While Iran was sufficiently courageous to accept the Committee's rationale on some occasions and reject it on others, it was willing to cooperate with the international community as a whole to ensure the protection of children's rights. Children represented half of Iran's population, and must be given the attention they needed as they would shape the country's future. Iran intended to maintain the relationship it had begun with the Committee and would be happy to discuss any problems which arose.

The meeting rose at 6.20 p.m.

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COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-fourth session

SUMMARY RECORD OF THE 619th MEETING

Held at the Palais Wilson, Geneva,
on Wednesday, 17 May 2000, at 10 a.m.

Chairperson: Ms. OUEDRAOGO

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CONSIDERATION OF REPORTS OF STATES PARTIES (continued)

Initial report of Georgia

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

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The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 3) (continued)

Initial report of Georgia (CRC/C/41/Add.4/Rev.1; CRC/C/Q/GEO/1; written replies of the Georgian Government to the questions in the list of issues (CRC/C/1 (Future) 5))

1 At the invitation of the Chairperson, Ms. Beridze, Mr. Tatishvili, Mr. Nalbandov, Ms. Ebralidze, Mr. Kavadze, Mr. Kavsadze and Mr. Bakradze (Georgia) took places at the Committee table.

2 Ms. BERIDZE (Georgia) said that in the past few years Georgia had had to face many difficulties including armed conflicts, lack of resources, financial and budgetary crises, State indebtedness, unemployment and delays in the payment of wages and pensions. All these problems had naturally been reflected in the situation of children, although they had not prevented Georgia from acceding to the the Convention on the Rights of the Child in 1994. Between 1995 and 1999 the Georgian Parliament had completely replaced the country's legislative base by enacting more than 700 laws. The authorities were endeavouring to combat poverty, revive the economy and re-establish prosperity.

3 With regard to the promotion of respect for the rights of the child, the country was essentially confronted with problems of a financial and budgetary nature. The Government had recently drawn up a new long-term programme for recovery in the social field, placing the emphasis on policies in support of the family and on guaranteeing the rights of children.

4 The statutory age at which a child could receive legal or medical advice without the consent of the parents or legal representatives was currently 18 years, but it was to be lowered by means of legislative changes. So far as abortion was concerned, a draft Act taking account of Georgia's international commitments would shortly be placed before Parliament.

5 Georgia was a country where the child formed the subject of a veritable cult; instances of corporal punishment were extremely rare, although a few cases in pre-school establishments or schools had been reported. The prohibition of such punishment in schools was based on an unwritten law and those who inflicted it could be dismissed and banned from teaching for a certain length of time. The parliamentary legal committee was considering the possibility of making such acts, whether committed in the family or at school, a criminal offence. At present they did not come under the Penal Code unless they entailed the infliction of bodily harm. In some cases, close contact was established with various bodies in order to protect children and the most vulnerable groups of the population.

6 A presidential decree concerning the adoption of a national plan, for the period 2000 to 2002 to combat violence against women had been promulgated on 25 February 2000. Its chief objectives were the elaboration of an Act and a programme aimed at the prevention of all forms of violence against girls and the launching of a series of information campaigns.

7 In April 2000 the National Ombudsman had submitted his annual report to Parliament dealing, in particular, with street children placed in public institutions. NGOs played an

important role in providing assistance to such children and to children in general. The strengthening of links between government structures and NGOs was to be noted. In view of the budgetary difficulties facing Georgia, the assistance of international organizations in financing children's programmes was particularly important. Thus, an agreement concerning a grant of US$ 60 million to be spent on improving and strengthening secondary education had been concluded with the World Bank.

8. Under an Act adopted in 1999 on State aid to children's and young people's associations, such associations could submit information on the situation with regard to the protection of children to the President of Georgia and the relevant authorities and could introduce initiatives aimed at amending existing laws and other regulations in the light of children's interests. They could also participate in the elaboration, consideration and implementation of government programmes relating to young people.

9. With regard to education, it should be noted that while in some mountainous regions of Georgia there might be classes with only 3 or 4 pupils, the normal criterion was 25 pupils per class. In his electoral programme, President Chevardnadze had given prominence to education and had undertaken to ensure that free secondary education would be gradually introduced and that children belonging to language minorities would receive instruction in their mother tongue.

10. Georgia had established a structure for the preparation of human rights reports to the United Nations, a development which would undoubtedly have a positive effect on the quality and the constructive nature of Georgia's dialogue with United Nations human rights bodies. Georgia awaited with interest any recommendations by the members of the Committee that would help it to discharge its obligations under the Convention.

11. The CHAIRPERSON invited members of the Committee to ask questions relating to general measures of implementation and to the definition of the child.

12. Ms. KARP said that she would have liked the report to contain more information on the effects of the Convention's implementation on the day-to-day life of children. She also noted with concern that it had not been possible to provide information on the subject of children living in Abkhasia and South Ossetia.

13. She asked whether the legislative review was proceeding in accordance with a precise timetable, and expressed surprise that the Convention, although incorporated in domestic legislation, was never invoked before the courts. Had the reasons for such a situation been investigated? Was it because the population was not familiar with the Convention?

14. The written replies contained a statement to the effect that over the period 1998-2000, the human rights service had not had knowledge of any cases of police brutality or unlawful use of force against minors. If the body expressly entrusted with discovering violations of the rights of children had not heard of any such cases, there obviously was a problem; either the budget of the service was inadequate, or the service did not have enough staff, or else it was not focusing sufficiently on children.

15. She asked what steps Georgia intended to take in order to set up an effective coordinating mechanism that would provide an overview of activities being undertaken on behalf of children and indicate what still remained to be done. What specific action was Georgia taking to formulate a comprehensive and detailed strategy and plan of action for children? Had a timetable been established in that respect?

16. Had the study on poverty undertaken in collaboration with the World Bank been completed and, if so, what results had it yielded? Given the reduction in funds allocated to education, health, social security and the Youth Parliament, was it envisaged to review the budgetary appropriations in the interest of children?

17. Lastly, with regard to efforts to make the Convention known to the population and, in particular, to children, was it planned to translate the Convention into languages other than Georgian and Abkhasian, and was the programme of education on the rights of the child which had been launched in the capital to be extended to other parts of the country?

18. Ms. EL GUINDI asked for additional information on the relationship between the Committee on the Protection of Human Rights and the Office of the Public Defender or Ombudsman. Who was responsible for coordination between ministries, follow-up activities and data concerning children? What relations did all those bodies maintain with NGOs, and how did they cooperate with NGOs within the framework of the said activities?

19. Mr. FULCI said he was surprised to note that the report of Georgia failed to mention any NGO participation in its preparation and described existing NGOs as not very active, when other available information indicated that there were a number of NGOs in Tbilisi which were extremely involved in the human rights field. Was Georgia planning to associate NGOs more with that process?

20. He asked whether the Office of the National Ombudsman had set up a service to deal with women's and children's problems and, if not, when it intended to do so. In what way had the existence of an Ombudsman been so far beneficial to children? Were precise and recent data available on how many children had brought cases to the Ombudsman's attention? Lastly, it would be useful to have information on the role of the media, in particular with regard to making the Convention and its contents known to children.

21. Ms. RILANTONO said she was most surprised to read in the report that NGOs did not readily establish contacts with government agencies, even if the delegation had indicated that the situation in that respect had improved over the past two years. It was NGOs that had campaigned on behalf of the Convention, and it was within their capacity to recommend national policies. NGOs were close to the community and should be given a more active role.

22. In the absence of a control mechanism, how was the Convention being applied at present? Had Georgia ratified ILO Convention No. 138 on the minimum age of employment and ILO Convention No. 182 against the worst forms of child labour?

23. Mr. RABAH asked for further information on the draft new Criminal Code,which was to reduce the age of criminal responsibility to 14 in all cases. What were the "exceptionally serious crimes" for which children of 14 could be judged like adults in the cases where criminal responsibility at present began at age 14? He noted that the report did not indicate the minimum age of consent to sexual intercourse.

24. In view of the country's many minorities and of its geographical situation, was it true that some discrimination based on language existed? Could the delegation say to what extent the Convention had been translated into the country's various languages and how it was disseminated at all levels of society, in particular among young people at school and university? Lastly, he asked whether the Ombudsman had already received complaints from children or other persons and whether those complaints had reached the courts. If so, what action had been taken on them?

25. Ms. MOKHUANE asked for information about the membership of the coordinating council responsible for overseeing the implementation of the Convention. Was civil society represented on the council? In what respect did the role of the council differ from that of the ministerial department responsible for the Convention's implementation? She also inquired whether a study had been undertaken to evaluate the effect on the well-being of children of problems connected with poverty, the introduction of macroeconomic policies and the country's economic decline, as referred to in the introductory statement.

26. Mr. DOEK said that, according to information received, problems such as tax evasion and corruption, which had repercussions on the financing of all kinds of programmes for children, were particularly acute in Georgia. What measures were being taken to remedy that situation?

27. Ms. TIGERSTEDT-TÄHTELÄ noted with concern that the budgets for health, education and culture were being reduced although the economy was growing. In that connection, she drew attention to article 4 of the Convention. Was the concept of the rights of the child being taken into consideration in macroeconomic planning?

28. The CHAIRPERSON asked the delegation to describe what steps had been taken in preparation of its appearance before the Committee. In particular, had the report of Georgia on the implementation of the Convention been disseminated, and, if so, what reactions had there been? Had a press conference been held and, if so, how had it been brought to the notice of the population?

29. Ms. BERIDZE (Georgia) explained that in Georgia international instruments formed an integral part of national legislation by virtue of the law on normative acts, and could therefore be invoked before the courts. Accordingly, all Georgian citizens, including children, could invoke the provisions of the Convention before a court, although a region-by-region inquiry showed that no case had ever been brought before a court under the Convention on the Rights of the Child or any other international instrument. Georgia was doing its best to bring its legislation into conformity with the international instruments to which it was a party. Work was in progress to

determine any divergences that might subsist between the Convention and Georgian law, and Parliament had begun to study such lacunae and inconsistencies with a view to making the necessary legislative amendments.

30. So far as the population's knowledge of its rights was concerned, the Convention had, with the help of international organizations, been translated into various languages spoken in Georgia. Under the Soviet Union, the common language had been Russian, which was still known by all minorities but would gradually be supplanted by Georgian as the main language of communication. The State was conducting an extensive programme of instruction in the Georgian language - a programme which was in no way compulsory - for the particular benefit of many adults coming from Azerbaijan and Armenia. At the same time, the State was doing everything in its power to enable children belonging to minorities to be educated in their mother tongue.

31. Human rights principles were being taught in schools, and there had been broadcasts devoted to the rights of the child. However, owing to Georgia's totalitarian past, civil and political rights had occupied the forefront of attention in the early years of independence, and the activities of NGOs continued to be governed by that logic. Upon Georgia's accession to the International Covenant on Economic, Social and Cultural Rights, the National Ombudsman had drawn attention to the close link between those rights and the rights of the child, pointing out that a child had a better life and its rights were more closely respected within a prosperous family.

32. Many NGOs had been established of late, and about 30 of them had recently set up a coordinating council with the assistance of UNICEF. They had prepared a report reproducing, in part, information transmitted to them by government bodies. Thus there had certainly been cooperation between those bodies and NGOs, and such cooperation was steadily increasing; certain programmes were even being implemented jointly. She had personally taken part in a training programme relating in particular to the treatment of minors which had been organized at several police stations in Tbilisi and other parts of the country.

33. The first holder of the post of National Ombudsman, appointed at the end of 1997, had resigned after being elected to Parliament; his deputy was serving as the Acting Ombudsman pending the appointment of a replacement, but the institution had been weakened as a result. One man and one woman had applied for the post. The Ombudsman had begun to investigate some specific issues and to receive complaints from citizens. The main concerns expressed in his first annual report published in 1999 had related to the situation of children placed in institutions and street children. The Ombudsman had never yet received any direct complaints from children, but he had intervened in several cases involving children, for example by authorizing the return of a child to the mother who had obtained custody under a court decision. In some cases, however, children had taken action on their own initiative in schools, and those cases had been settled through the Ministry of Education. The minimum age at which a child could apply to a government authority or the Ombudsman was not legally defined and no legal text existed on that subject, but the climate of opinion in Georgia was such that if a child did approach a government authority or an official, everything would be done to come to his or her assistance.

34. As Georgia was currently unable to exercise its jurisdiction in Abkhazia and a part of Ossetia, the Georgian authorities did not have access to full information on the situation of children in those two regions; however, it could be assumed that it was affected by the particularly difficult economic conditions obtaining there.

35. With regard to the struggle against poverty, an agreement had finally been concluded with the World Bank, and a programme financed by the World Bank was to be launched during the summer. The Youth Parliament was to resume its activities on 15 May 2000.

36. Mr. TATISHVILI (Georgia) explained that instruction in Georgian schools was given either in Georgian or, at the request of the parents, in one of the five minority languages - Armenian, Azeri, Russian, Ossetian or Abkhazian. The arrangement existed in 20 per cent of schools.

37. With the assistance of international organizations such as the United Nations, the authorities had introduced teaching on the Convention as early as in 1995; 50,000 brochures in the Georgian language had been distributed at that time. A handbook intended to make the Convention known to teachers had been prepared in cooperation with NGOs, followed by another, in 1999, intended for children leaving primary or secondary school. Thus the population as a whole had been made aware of the Convention's principles. Despite difficult conditions, the Government had succeeded in making the teaching of the Convention compulsory, a step which had not been without effect even if it could not be affirmed that all the rights of the child were respected.

38. NGOs were very active and had contributed towards the preparation of the initial report by supplying large quantities of data and by undertaking efforts which, in some cases, had led the Government to review its position on certain issues. Sixteen of the 36 NGOs registered in Georgia specialized in the rights of the child.

39. The media contributed greatly to the promotion and respect of the rights of the child and the mother. Articles connected with the rights of the child appeared frequently in the press.

40. In April 2000 Georgia had participated in the Dakar Forum attended by 182 countries reporting on progress achieved in primary education over the past 10 years. The programme introduced by the Georgian Government under the Education Act of 1995 had some shortcomings; girls were under-represented in terms of school enrolment, and secondary education was not yet free of charge; moreover, work still needed to be done to repair damage caused by various natural disasters, including floods in many of the country's schools.

41. Ms. BERIDZE (Georgia) said that the draft Acts pertaining to the rights of women and of the child were drafted by the parliamentary subcommittee responsible for the protection of the mother and child in consultation with government organs and NGOs, with which it worked in close collaboration.

42. Georgia had not yet become a party to ILO Conventions Nos. 137 and 182, but negotiations were in progress towards that end. Under the Labour Code, the legal age of recruitment for work was 16 years, but it was possible to hire an adolescent aged 15 provided the work was light and that one of the parents or the guardian gave their consent.

43. The new Penal Code reduced to 14 years the age of criminal responsibility, which had previously been set at 16 and, by way of exception, at 14 for the most serious criminal offences. The Georgian Government would furnish statistics on juvenile delinquency. The courts hesitated to send minors to prison; at the present, only 47 minors were being detained in a specialized penitentiary establishment, where the conditions were better than in penal establishments for adults. There was no female adolescent currently in detention, whereas in 1993 there had been three.

44. There was no legal minimum age for consent to sexual intercourse, which admittedly was a lacuna in terms of the Convention. The Government would take steps to remedy the situation in the light of the Committee's observations.

45. The fiscal system in Georgia was working very badly because tax collection met with many difficulties and there was a flourishing black market. As a result of the new programme introduced by the internal revenue administration only a few months earlier, the situation was likely to improve.

46. Corruption was indeed a very widespread phenomenon. The Government had drawn up a plan for the establishment of a special commission to fight corruption. The struggle against corruption would certainly be a priority for the new government team. The results achieved would be reflected in the next report.

47. The parliamentary committee on protection of human rights was working in cooperation with the Office of the National Ombudsman, which was accountable to Parliament. The Ombudsman would henceforth report to Parliament twice a year instead of once.

48. The Government had begun to study the effects of poverty on the exercise of the rights of the child. The Bureau of Statistics and the Ministry of Health and Social Security had launched a nationwide survey which would, inter alia, provide information on the number of children in employment and on their age. The programme supported by the World Bank was in progress and had not yet yielded specific results; its eventual conclusions would be disaggregated by different economic, social and cultural rights in respect of both adults and minors.

49. Despite the growth of the economy, expenditures on education and health were diminishing because Georgia was going through a serious budgetary crisis which prevented the financing of activities in those two sectors, although in theory they were regarded as priority areas. The overall situation was therefore far from satisfactory despite the fact that education and health sometimes accounted for as much as 70 per cent of certain local budgets.

50. The Government had prepared its initial report with the greatest care and would spare no effort in disseminating the Committee's observations thereon, as it had also done in connection with its report on the implementation of the Convention on the Elimination of All Forms of

Discrimination against Women in 1999 and, still more recently, with its report under the International Covenant on Economic, Social and Cultural Rights. The consideration of the report on the rights of women had been followed by a press conference and a television programme, and articles on the subject had appeared in the press.

51. The CHAIRPERSON invited the members of the Committee to ask additional questions in connection with the replies they had just heard, as well as on general principles and civil rights and freedoms.

52. Ms. KARP asked whether the Office of the Ombudsman had sufficient human and financial resources at its disposal and whether it had branch offices in various parts of the country. How many people were on the payroll of the subcommittee on the protection of mothers and children? Was Georgia planning to ask for assistance in developing indicators on the poorest groups of children, juvenile justice and child victims of crimes? She also asked how long it would take for Parliament to adopt the new Children Act.

53. With regard to budget appropriations, she suggested that Georgia might follow the example of certain Scandinavian countries which had taken special steps in connection with the allocation of credits to activities on behalf of children. She also inquired whether the proportion of international aid that had to be set aside for children had been defined.

54. On the subject of general principles, she welcomed the information that credits were going to be made available for the financing of the activities of the Youth Parliament. Not only political will but also human and financial resources were needed in order to facilitate children's participation in school life and in the life of society in general.

55. Were the views of the child taken into consideration in schools, before the courts and in connection with the adoption of administrative decisions? Were there any directives stipulating that children's views had to be heard before taking the decision to withdraw them from their family and place them in an institution? She also asked for examples of judicial or administrative decisions in which the best interests of the child took precedence over the interests of the parents or the State.

56. Referring to the right to life, she asked whether there were any children among the persons who had died in prison as a result of police brutality in 1997 and 1998. Generally speaking, it would be interesting to know who was responsible for investigating complaints concerning such acts. Lastly, she recommended that Georgia should supplement the laws prohibiting corporal punishment by campaigns to enhance the public's, and especially parents', awareness of the problem.

57. Ms. RILANTONO asked for an assurance that efforts were being made to disaggregate statistical data on children by age groups. She asked whether, contrary to what generally happened in developing countries, it was customary in Georgia to take the views of children into consideration. Were there any plans to create special machinery for the protection of children? So far as access to appropriate information was concerned, she asked whether steps had been taken to protect children from publications of a pernicious and, in particular, a pornographic nature.

58. Ms. TIGERSTEDT-TÄHTELÄ thought it very interesting that the Georgian delegation intended to report on its mission to Geneva to the National Security Council. Noting that the Georgian media disseminated a good deal of information on the rights of children and their mothers, she remarked that the father, too, had an important role to play in a child's upbringing.

59. Mr. DOEK asked for an explanation of paragraph 78 of the addendum to the initial report (CRC/C/41/Add.4/Rev.1) in which it was stated that a minor's views could be heard in the course of procedures required by law. Did that mean that a judge could choose not to hear the child? What criteria were applied in that regard? Was there an age limit? Could the child be heard in divorce proceedings? With reference to freedom of association, he asked for an explanation of the rule prohibiting children's participation in the activities of political parties (para. 116).

60. Ms. MOKHUANE noted the existence of considerable disparities between the situation described in the report, which corresponded to an ideal situation for the Convention's implementation, and the reality. What emergency measures had the State taken to guarantee the right of the child to life, health and development?

61. The CHAIRPERSON inquired about the attitude of Georgian society towards handicapped children and children born out of wedlock. What measures were taken to ensure that such children did not suffer discrimination? Referring to the addendum to the initial report, where it was stated that there was serious public concern about the spread of sects and religious movements non-traditional to Georgia (para. 114), she asked whether steps had been taken to ensure that the sects did not violate children's rights.

62. Ms. BERIDZE (Georgia) said that the financial resources available to the Office of the Ombudsman were very limited. The person shortly to be appointed to the post of Ombudsman would ask for those resources to be doubled or trebled immediately upon taking office. Inadequate means were also the reason why the Office of the Ombudsman had no local branches. As for the draft Act on the rights of the child, its purpose was to fill the gaps that existed at present. It should be noted that NGOs were participating in drafting the new Act together with the appropriate parliamentary committee.

63. Replying to questions about budget allocations to sectors relevant to children, she said that an indicative plan was drawn up each year but, owing to the uncertainties of the situation, the system had not worked very effectively up to the present. Georgia was receiving a great deal of international humanitarian aid, much of which was earmarked for families and children. The amount of aid was currently being reduced, but it remained considerable in the sectors of health and children's welfare.

64. Replying to questions about the Youth Parliament, she said that its activities were largely financed by UNICEF. There also existed a system of scholarships for children particularly gifted in specific areas, especially those of science and the arts. Despite its limited resources, the State was keen to finance arrangements of that type.

65. Much had been said about shortcomings in connection with the rights of the child, but the fact should not be overlooked that many legal provisions, including those of the Family Code, clearly stipulated that the best interest of the child always had to be taken into consideration.

66. No minor had died in prison. The persons who had died were convicted adults, in the majority of cases as a result of illness. Members of the police forces who violated the rights of detained or convicted persons were punished and, where necessary, dismissed from the service. No breach of the rights of a minor had been recorded in that context. However, there had been one case where a child had made a false declaration against a policeman before subsequently withdrawing it.

67. With regard to the prohibition of corporal punishment, Georgian law was extremely strict, especially where children were concerned. The idea was not so much to imprison parents who committed such acts as to make them understand that their behaviour was morally unacceptable.

68. So far as statistics on children were concerned, data disaggregated by age groups could no doubt be produced in future. Lastly, taking the views of the child into consideration in the family was not only a matter of wanting to obey the law; in Georgia, it was a veritable tradition.

The meeting rose at 1 p.m.

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Twenty-fourth session

SUMMARY RECORD OF THE 620th MEETING

Held at the Palais Wilson, Geneva,
on Wednesday, 17 May 2000, at 3 p.m.

Chairperson: Ms. OUEDRAOGO

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Initial report of Georgia (continued)

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GE.00-42330 (E)

The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Initial report of Georgia (CRC/C/41/Add.4/Rev.1; HRI/CORE/1/Add.90; CRC/C/Q/GEO/1; CRC/C/1(future)5) (continued)

1. At the invitation of the Chairperson, the members of the delegation of Georgia resumed places at the Committee table.

2. Mr. FULCI asked for further information on measures taken by the Government to promote universal access to health services, especially for children. Were there any plans to increase the amount allocated to health services as a percentage of gross domestic product (GDP)? What measures had been taken or were planned to improve education relating to the benefits of breastfeeding and to promote the rehabilitation and social integration of disabled children? The number of children in institutions for the disabled had reportedly declined in recent years, presumably because of worsening conditions in such institutions.

3. Ms. RILANTONO, referring to the problems encountered in providing access to basic health care owing to poor economic conditions, expressed concern about the lack of availability of vaccines. She asked which vaccines for preventable diseases were produced in Georgia, and whether the country was receiving assistance from the United Nations or from other foreign sources in acquiring vaccines. How did the health services go about carrying out periodic campaigns against preventable diseases? What measures was the Government taking against malnutrition, and how serious was that problem? The Government had referred to a national adolescent health policy for the period 1999-2001, but had furnished no data on pregnancy, abortion, HIV/AIDS, sexually-transmitted diseases (STDs), drug use, violence and mental health among teenagers. She would appreciate information on those points.

4. Ms. MOKHUANE asked whether the Government had carried out any studies of the quality of health care for young children. Had the situation improved in recent years? The Committee had not received sufficient data on the number of young people affected by STDs. What was the Government's position in relation to the possibility of making contraceptive devices more accessible to young people so as to reduce reliance on abortion as a form of contraception? Advertising for alcohol and cigarette consumption was still permitted in the media, and the Government had reportedly taken no measures against it. How was public health promotion carried out in Georgia, and what were its results?

5. Ms. KARP asked whether the Government had established a long-term, budgeted plan to increase access to health care in mountainous regions. Was the referral system to combat maternal mortality being applied throughout the country or only in selected areas and were there plans to extend it? The delegation cited proposed legislation concerning children's access to medical treatment in the absence of parental consent. How did that legislation take into account

the needs of teenagers and younger children for counselling and treatment in such circumstances? Under the new law on abortion, did a pregnant adolescent require her parents' consent to obtain an abortion? How did the Government ensure that her interests were upheld and that she was not left without proper support?

6. She asked whether specialized services existed for the treatment of children who were victims of sexual abuse. Studies had shown that many sexual offenders had in their own youth been subjected to sexual abuse, and it was currently assumed that early treatment of such victims could prevent problems later in life. The treatment of victims of sexual abuse was a field which required know-how, manpower and infrastructure. She would also like to know whether there were special sections in hospitals dedicated to the mental health care of children? Was provision made for involving the children and hearing their points of view when the decision was taken, for instance by their parents, to hospitalize them?

7. Ms. TIGERSTEDT-TÄHTELÄ asked for clarification of the "insurance principle" referred to in the written replies. Was the medical assistance provided under that system funded through a private insurance scheme or was it State-subsidized, and was the scheme administered privately or by the State? What groups were covered, and what sort of premiums were paid by the patient? Was the health insurance policy covering the 45,000 pregnant women referred to in paragraph 59 of the written replies the same as the one mentioned in paragraph 54? What sort of benefits did the women receive when they gave birth? The initial report described a private health insurance scheme for children between 1 and 14 years of age. Was entitlement to that insurance coverage an individual right of the children, or did it depend on their parents' rights? The report also mentioned maternity leave, but it did not explain how such leave was financed. Did the employer pay for the leave, or was there an insurance scheme?

8. Mr. DOEK noted that paragraph 76 of the written replies stated that the incidence of STDs and the number of abortions among minors had been increasing. Did that mean that existing programmes were not sufficiently reaching out to minors, or were there other problems in conveying information on STDs to young people? What methods were currently being used, and had they been reassessed in the light of the worsening of the problem?

9. Ms. EL GUINDI, noting the high percentage of disabled children in Georgia, asked whether the Government had adopted a programme or policy to prevent such disabilities.

10. Mr. RABAH inquired about the status of implementation of the national plan to improve the well-being of children referred to in paragraph 213 of the initial report. Were medical centres and hospitals for children available and accessible to children in rural areas?

11. The CHAIRPERSON, noting the high rate of accidents among Georgian youth and the probable effect of alcohol and drug use in that regard, asked whether the Government had conducted any accident prevention campaigns for that group or carried out studies on the subject.

12. Mr. GAMKRELIDZE (Georgia) acknowledged that health services were currently not available to everyone in Georgia and explained that the problem was intricately linked to the social and economic development of the country. When Georgia had formed part of the Soviet Union, the Government's annual per capita spending on health had been the equivalent of

approximately $150. With the collapse of the Soviet Union and the economic crisis of 1992-1994, that figure had fallen to less than half a dollar. Although health care had officially been free at that time, in reality it had become a pay service accessible only to those who could afford it. The Government had in August 1995 begun a reform of the health-care system, which entailed a recognition by the State that it could cover only some of the population's requirements. The rest of the medical care would have to be financed directly by patients or private funding. Since 1995, per capita spending on health had steadily risen from 46 cents to about 10 dollars per year, which he acknowledged was still quite low. According to criteria established by the World Health Organization (WHO), if a Government spent less than that amount on the health of its population, it should carry out only preventive programmes such as vaccination campaigns.

13. Government spending on health came through two channels: federal and municipal programmes. The federal budget had initially covered four programmes: tuberculosis control; mental health; mother and child health and health care for extremely disadvantaged groups. In 1996 a State health insurance scheme had been introduced, and a law on insurance had been enacted in 1997. As from that time, a State medical insurance scheme had been in operation. It was funded by payroll contributions of 3 per cent from employers and 1 per cent from employees. However, the 4 per cent thus collected amounted only to about $8 million per year, while the actual cost of the mother and child health programme alone totalled some $13 million. The State was therefore responsible for subsidizing approximately two thirds of the budget for the medical insurance scheme. Due to the country's economic problems, however, the State was not always able to meet its financial obligations. It was currently covering only about 70 per cent of its portion of the costs.

14. In 1999 the Government, working with the WHO Regional Office for Europe, had adopted a 10-year strategic national health plan. State health spending was currently under 1 per cent of GDP. However, State spending on health represented just one fifth of the total health spending in Georgia. One of the objectives of the plan was gradually to increase Government spending on health to cover the total spent on health, in other words to about 4 per cent of GDP by 2004, and to 6 per cent by 2009. Annual per capita spending would thus reach about $100 by 2009. That level would be somewhat lower than the one prevailing in 1990, and was certainly not very high in comparison with Western standards. However, it was hoped that improvements in medical care and increased efficiency would make it possible to meet the basic objective, which was to ensure general access to health care. It was estimated that the basic package of Government-funded health care currently covered about 15 to 20 per cent of needs.

15. The main priority of the national health plan had been assigned to mother and child health care. As a result, Georgia's very high maternal and infant mortality rates had already begun to improve. The federal Government was funding programmes for safe motherhood and childbirth, and was covering all medical expenses of children from birth through the age of three. Municipal programmes covered emergency care for children from 3 through the age of 14. Unfortunately, not all municipalities were able to provide complete coverage, and families sometimes had to pay for up to 30 per cent of the cost of treatment. There was a plan for all municipal programmes to provide comprehensive coverage for the 3-14 age group by 2001.

16. People in rural and urban areas enjoyed the same access to health care, which was currently limited owing to budgetary constraints. Outpatient services were funded by the federal Government, and the same resources were allocated to rural and urban health centres. The only difference in the provision of treatment stemmed from disparities in medical coverage between municipalities. No vaccines were produced in Georgia, which had to purchase them from foreign sources. In that regard, he wished to express gratitude to the United Nations Children's Fund (UNICEF) for its financial support which had made it possible in the past seven years to cover the country's compulsory vaccine needs, and to the Japanese Government for helping to ensure that the cold chain functioned properly. The Hepatitis B vaccine was currently available and administered throughout the country, and discussions were continuing with donor countries to extend the vaccination system.

17. Between 1995 and 1999 a special educational programme funded by non-governmental organizations (NGOs) including UNICEF had resulted in a 9 per cent increase in breastfeeding. Concerning disabled children, he referred the members to information already provided by his delegation. A special Presidential programme for disabled persons had begun in 1997; it included projects for disabled children, one of which treated some 200 victims of cerebral palsy. There was a specialized section of the university hospital in Tbilisi for children with disabilities and rare diseases.

18. Parliament had recently adopted a comprehensive law governing abortions, which set out regulations for teenagers who wished to terminate a pregnancy. Some of the implementing legislation was still being adopted. Parental consent was required for teenagers to have abortions. Psychiatry was divided into two main services: general psychiatry and child psychiatry. There was a central psychiatric institute which included a well-equipped service for children suffering from mental illness. Georgian staff in that field were highly qualified, and the psychiatric institute was well known. Psychiatric services for children, like all psychiatric services, were fully financed by the State. The employer covered the cost of maternity leave.

19. The problem of malnutrition reflected the problem of nutrition in general in Georgia. A special monitoring and diagnostic programme was in place but treatment of children with, for example, iron deficiency would require some 10 million lari.

20. No cases of AIDS in children had been found among the 123 registered cases in Georgia. The main vector of transmission was intravenous drug use. Preventive programmes had been put in place by the State but treatment of AIDS or STDs in general was not possible owing to the lack of financial resources.

21. As in all developing countries, the rate of tobacco and alcohol use among young people was high. A presidential decree had recently been issued limiting cigarette smoking and tobacco advertising in State institutions, beginning with medical institutions. Educational programmes had been started, as well as a multisectoral "Health for Life" programme involving a number of ministries.

22. There was no specialized service catering specifically for the victims of sexual crimes, but they could avail themselves of the psychological support and consultation facilities offered by both governmental and non-governmental agencies.

23. In reply to a question by Ms. Karp, he said that new legislation had been enacted to provide free primary health care in mountainous regions, which made up two thirds of Georgia's territory and where 500,000 people lived. However, the funds allocated by Parliament would not yet cover free medicine.

24. Children could not receive treatment without their parents' consent, in accordance with general health legislation, which required the consent of a patient before medical procedures could be carried out. Legislation on patients' rights had recently been enacted, and a bill on the liability of medical personnel was in preparation.

25. Ms. MOKHUANE asked how sustainable such a wide range of programmes was, in view of the shortage of financial resources, personnel and equipment, and how the programmes were coordinated. Concerning environmental health, there was evidence of a deterioration in sanitation provision; she wondered whether a strategy was in place to address that problem.

26. Mr. GAMKRELIDZE (Georgia) said that programmes had been prepared at the international rather than the national level, with the help of the international community and intergovernmental agencies. The State was able to provide only 70 per cent of the required finance and the programmes met only some 20 per cent of the population's needs.

27. Sanitation provision had certainly deteriorated as compared with the 1980s, like all the other health indicators in Georgia, but since 1997 the situation had stabilized somewhat and it was hoped that it would now begin to improve.

28. Mr. FULCI, turning to the question of children deprived of a family, said that, according to Georgia's report, there were 8,000 children aged between 3 and 18 in special institutions. At the same time, an estimated 2,500 children lived on the streets in Tbilisi, partly owing to abandonment but mainly because of the inefficiency of the alternative care system. Such children were extremely vulnerable to abuse, violence and crime, and there was a feeling that the Government did not provide adequate protection for those children.

29. He wondered whether there were any plans to introduce a code of standards for children's institutions and whether any increase in funding levels was envisaged. What was the Government planning to do about the street children?

30. With regard to adoption, he wondered what criteria were used in placement, monitoring, evaluation and follow-up in domestic adoption and what countries took Georgian children who were adopted abroad.

31. With regard to special protection measures, he asked whether Georgia envisaged enacting domestic legislation to protect the rights of unaccompanied children who requested asylum, especially those coming from South Ossetia and Abkhazia.

32. Mr. DOEK asked whether there was any policy to prevent the institutionalization of children in care, by placing them with foster families or relatives, or through other alternative arrangements.

33. According to the report, children were sometimes adopted abroad directly from maternity homes. Did that mean no court procedure was involved? The report also mentioned the possibility of changing an adopted child's place and date of birth in order to preserve confidentiality. How did that fit with the right of the child to know its identity?

34. Lastly, he asked whether there was a comprehensive policy to deal with child abuse within the family, including, for example, reporting mechanisms or treatment.

35. Ms. RILANTONO, following up Mr. Fulci's question, asked whether, in institutions where standards did exist, there was also an independent complaints mechanism. She would welcome more information on the legislation on foster care which the Georgian delegation had mentioned.

36. In view of the enormous problem of health care and the fact that the State financed all pre-school and primary education, she wondered how the policy of dividing the budget allocations between education and health was coordinated. What was the educational dropout rate and what infrastructure existed to deal with that?

37. Ms. KARP noting that parental consent was needed before an abortion could be performed, asked whether a girl might be obliged to carry a baby to term against her will. If so, to what extent could she be said to have control over her own body and her own future? What provision was made in the legislation for counselling and treatment in areas where a young person did not wish parents to be involved?

38. The policy of de-institutionalization seemed to risk turning into a vicious circle: many children who ran away from institutions ended up living in the street, yet part of the programme to deal with street children involved sending them to institutions. How could that problem be solved?

39. She asked for more information on the recently enacted legislation on the protection, development and social adaptation of minors, and on the role of the Inspectorate for Minors' Affairs. The written replies did not mention any periodic review of institutions and she wondered whether that was a standard procedure.

40. Sexual exploitation of children was apparently on the rise in Georgia: had any programmes been developed to deal with it? It seemed that protection of children extended only to the age of 16, and she wondered what age of sexual consent was proposed in the new legislation. The Stockholm Declaration and Programme of Action recommended that children should be protected up to the age of 18 and that it should be an offence to be a client of a child prostitute. It also established the principle that sexually exploited children should not be criminalized, yet paragraph 78 of the written replies referred to 48 children being detained for prostitution - was child prostitution in fact an offence in Georgia?

41. Lastly, she asked what efforts were being made to return internally displaced persons to their homes as opposed to caring for them in the places they had moved to.

42. Mr. RABAH asked whether there were plans to enact legislation specifically for young offenders, whose numbers were rising precipitately and most of whose crimes appeared to be economically motivated. He asked for an explanation of why children aged 14-17 were subject to violence and sexual abuse in police stations and were, by court order, sometimes detained with adults. Did they receive assistance from social workers for a return to normal life? How many young offenders in Georgia were girls? Were there special rehabilitation centres for them?

43. Ms. MOKHUANE asked what progress had been achieved by the project for children's institutions conducted jointly by the Government together with UNICEF and a British NGO, and what constraints had been encountered. She had heard reports that existing institutions were not child-friendly. Was the Government doing anything to improve them pending their closure in connection with the de-institutionalization process and the enactment of the law on foster care? Since the bulk of social welfare, education and health appeared to be funded by the local authorities, she wished to know whether the latter received any grants from the central Government.

44. Ms. TIGERSTEDT-TÄHTELÄ said she was disappointed to note that Georgia had hardly progressed from a State-centred health-care system. She asked to what extent NGOs worked in tandem with the State in care institutions and the precise role local authorities played in their management.

45. Ms. BERIDZE (Georgia), replying to questions raised at the previous meeting, said tobacco and alcohol advertising aimed at children was strictly prohibited and shops selling such products were forbidden to establish themselves fewer than 100 metres from schools. However, a very low level of uncontrolled sales of those substances was still recorded. Similarly, while children could not be fully protected from television violence, a campaign was under way and the problem would also be alleviated when the new law came into effect. In reply to Ms. Tigerstedt-Tähtelä, she explained that a high-level constitutional body regulated human rights, in particular respect for the rights and freedoms of the individual. The National Security Council on Human Rights of Georgia, instituted by the President - of which she herself was Deputy Secretary - was empowered to investigate and censure human rights violations in any institution and could approach any official of the executive branch to that effect. Georgia also reported to the treaty bodies governing the conventions to which it had acceded.

46. In reply to a question by Mr. Doek, she said children could appear as witnesses in court, provided they were accompanied by their legal representative. In the event of divorce, parents could decide amicably who would keep the child and who would pay child support. Although custody was traditionally granted to the mother, if a child of 10 expressed the wish to stay with the father, the child's best interest always prevailed. Under the Constitution, a person of 18 was entitled to organize demonstrations and play an active role in political life, which did not mean that a child under 18 could not participate in such events.

47. The only discrimination that occurred in divorce proceedings was positive discrimination in favour of the woman, with the child's best interests in mind. A childless couple could seek a divorce through the relevant State offices, while a couple with a child were obliged to do so in a court of law. Concerning protection of children from the adverse influence of religious sects, the Constitution firmly recognized separation of Church and State. Although the official religion

was the Russian Orthodox Church, with Georgia's age-old tradition of tolerance, many religious communities were mushrooming throughout the country, and the problems they entailed would be regulated by forthcoming legislation.

48. Replying to a question by Mr. Rabah, she said all children enjoyed equal access to education regardless of their language. Although Georgian was the official State language, education was also imparted in Abkhaz and other languages. The entire population had the right to promote its own language and culture. In a court of law the State was obliged to pay for an interpreter if one was needed and to translate, on request, all relevant documents into the language of the accused. A Government programme of instruction in Georgian had been launched and all generations were attempting to learn the language, unlike the situation when Russian had been the lingua franca among all the country's constituent parts. Georgia had joined the Council of Europe in 1999 and had already begun preparatory work for accession to the European Charter for Regional or Minority Languages.

49. Replying to questions by Ms. Karp, she said an abortion could not be performed on a pregnant girl without her consent. From the age of 10, each child had the right to his or her own views. If, however, the girl's life was endangered a hazardous operation could not be performed without parental consent. That having being said, it was the girl who decided whether to continue or terminate her pregnancy. While she agreed that the age at which a child could consult a doctor without parental consent should be lowered to 15, should a serious operation become necessary it would be necessary to seek parental consent.

50. While she shared the view that proper legislation was required for regulating the problem of unaccompanied refugee children - many of them Chechen, in addition to Georgia's own displaced persons - they were nonetheless supported at every level of the State and even assisted by the community as a whole. The age of sexual consent was another area that called for clear legislation.

51. Mr. TATISHVILI (Georgia), replying to a question by Mr. Fulci, said there were 10 child-care institutions, in addition to 3 boarding facilities, accommodating 620 children. With UNICEF and NGO assistance rehabilitation centres had been built in Tbilisi and Gurjaani for street children, of whom there were 2,000 in Georgia. Some 300 had been listed in rehabilitation centres in 2000. A 1997 presidential decree had instituted the new profession of social workers, who were being trained with international assistance, in connection with a major programme for the de-institutionalization of children. While conditions were not totally adequate, measures were in place to improve them.

52. In reply to a question concerning increased allocations to children's institutions, he said a recent UNESCO report had placed Georgia at the bottom of all the countries of the former Soviet Union in 1995-96. With subsequent increases, 70-80 per cent of total budget resources currently went to education. The amount in absolute terms was still derisory even though it had increased twentyfold since 1990. Current allocations barely sufficed for the payment of salaries and the most basic materials. He hoped the Ministry of Education would pay more attention to

the problem, especially for children in institutions. Many programmes in the country had been initiated by recent presidential decree, the latest of which provided central funding for children's institutions to assist the hard-pressed local bodies. However, new difficulties had subsequently arisen to exacerbate an already sensitive issue.

53. Adoption was treated with confidentiality. If parents were required to inform an adopted child of its situation at the age of 6, domestic adoptions, at the very least, would virtually come to a standstill. He asked Committee members to take the country's traditions into account. The Ministry of Education was the central body for regulating international adoptions. There had been 192 such adoptions in the past six years, and of the 18 in 1999, 15 had been "direct" adoptions: the adoptive parents fetched the child directly from the maternity home, although a court procedure was required. Intercountry adoptions had declined in Georgia because, with the country's 30,000 childless families, Georgians were given precedence for adoption so that children could remain in their country, in accordance with the Hague Convention on Protection and Co-operation in Respect of Intercountry Adoption.

54. There were 40,000 refugee and displaced children in Georgia, 96 per cent of whom attended school and, by presidential decree, received free education and textbooks, although they did live in difficult circumstances. The United States, Canada and France were the main countries of adoption of children from Georgia. Those nationalities tended to apply directly for adoption and there were 11 registered agencies in the country which dealt with intercountry adoptions.

55. Children were often used for pernicious purposes and Georgia possessed legislation to prevent any form of exploitation of others, including persistent begging. As approximately 40 lari a day could be earned by begging, it was important that the authorities also brought moral influence to bear.

56. Replying to Ms. Rilantono, he said that complaints were dealt with at all levels of Government. Concerning education, emphasis had hitherto been placed on pre-school and primary education, which was provided free of charge to all children through the ninth grade and to 70 per cent of children in the tenth and eleventh grades. A law enacted by presidential decree would make secondary education free for all by 2002 and not, as currently, only for displaced children, children living in mountain and border areas and those in Tbilisi and Kutaisi. The Government wished education to be free for all children at all levels, concerned as it was at the recent increase in the primary school drop-out rate, often as a result of parental pressure on children to contribute to household income.

57. Regarding the question of street children, a special four-year programme had been introduced at the initiative of the office of the President, involving representatives of the relevant ministries and departments and of NGOs. It was designed to address a number of different problems faced by street children.

58. Inspectors from foreign countries and international organizations had praised the content of the programme for reform of the education system, but had said that the aims of the programme were somewhat ambitious given the insufficient funds available to implement it. However, the World Bank had recently allocated a large sum of money for education reform in

Georgia which was to be spread over a period of 10 years. A seminar had recently been held in cooperation with the United Nations Children's Fund (UNICEF), at which a large variety of issues relating to children and the family had been discussed.

59. Regarding centralization in the education system, many responsibilities had been transferred from the Ministry of Education to local authorities. The Ministry of Education was responsible for monitoring the implementation of legislation on education and for areas such as standardization and training, whereas school management was the responsibility of local authorities.

60. Ms. BERIDZE (Georgia) said that child prostitution was a matter of great concern and that steps were being taken to prevent it. Measures had also been introduced to monitor the health of street children and to provide them with free treatment for sexually transmitted diseases. It was a criminal offence to involve children in prostitution.

61. Regarding the justice system for minors, she said that an entire chapter of the Code of Criminal Procedure dealt with offences committed by minors and provided for the protection of minors during legal proceedings. It also provided that investigations of juvenile offences were to be conducted by specially-trained judges. Reform of the legal system was under way, and there was a new requirement that those training to be judges had to take a special examination in juvenile law. The most recent data available showed that the number of offences committed by minors had fallen over the past two years. Some juvenile offenders were sent to special colonies; however, in most cases, the courts tried to avoid imprisoning minors. Instead, efforts were made to rehabilitate juvenile offenders by enabling them to continue their education and by providing support for them through social workers. There were also offices responsible for the rehabilitation of child offenders in each region and within the Ministry of the Interior.

62. Schoolchildren had the right to participate in the administration of their school through student councils and were also represented on teacher councils.

63. Mr. TATISHVILI (Georgia) said that reviews of institutes for young people, such as boarding schools and children's homes, were carried out every three years by various bodies involved in that field. The results of the reviews were transmitted to the Ministry of Education.

64. The CHAIRPERSON invited the members of the Committee to put follow-up questions to the delegation.

65. Mr. DOEK reiterated his previous question about whether the Government had a policy aimed at dealing with the serious problem of abuse and neglect within the family, including corporal punishment. He would also like to know whether the Government had considered ratifying the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption and whether there was any provision in Georgia for dealing with juvenile delinquents outside the court system, for example by requiring them to perform community service.

66. Ms. KARP, taking up Mr. Doek's question on abuse within the family, asked whether the State party had considered conducting a study on the subject. She said that the number of sexual offences cited in the written replies was unrealistically low and led her to believe that victims were reluctant to report such offences. An appropriate reporting mechanism was needed, and attention should be paid to the needs of victims so that they would not be afraid to come forward. Such a mechanism was especially important for children abused by a parent, because they remained dependent on their parents.

67. She thought that her question regarding the review of children in institutions had been misunderstood. She would like information not on the monitoring of the institutions themselves, but on the type of assessments carried out to monitor the development of children in those institutions.

68. Referring to paragraph 78 of the written replies, she asked whether the 48 adolescents found guilty of engaging in prostitution had been prostituting themselves or involving others in prostitution, as it had been stated that child prostitutes themselves were not regarded as offenders. She reiterated her question about internally displaced persons and requested more information about the inspectorates for minors' affairs mentioned in the written replies.

69. Ms. BERIDZE (Georgia) said that increased attention was being paid to the problem of abuse within the family and that an action plan had been adopted in February 2000 to combat domestic violence, draft legislation on the subject, provide assistance to victims and raise public awareness of the problem. Violence against women was more prevalent in Georgia than child abuse; the number of cases of sexual abuse of children was very small and the few cases that did occur caused profound shock among the public. Regarding the figure of 48 adolescents found guilty of engaging in prostitution, there seemed to have been a misunderstanding arising from the English translation of the written reply. The meaning intended in the Russian version was merely that 48 adolescents had been identified as involved in prostitution, not that they had been convicted.

70. Discussions were being held on the possibility of adopting the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption.

71. Regarding the problem of internally displaced persons from Abkhazia and Ossetia, a number of United Nations resolutions had recognized that those regions formed part of Georgian territory. Negotiations with both regions were continuing, with the assistance of international organizations and friendly countries, to seek a political solution to the outstanding contentious issues. Many of the displaced persons from Abkhazia were eager to return to their homes, even though efforts had been made to ensure that they had a basic income and decent housing in the area to which they had been forced to move. Once the political situation was resolved, Georgia would need international assistance to facilitate the return of such people to their homes.

72. The CHAIRPERSON invited Ms. Karp, the Country Rapporteur, to present preliminary conclusions on the discussion with the delegation of Georgia.

73. Ms. KARP thanked the members of the delegation for their detailed answers to the Committee's questions. The Committee's insistence on certain issues should be taken as a

constructive attempt to advise on ways to improve the situation of children in Georgia; she welcomed the State party's evident political will to achieve that end. The question of budget allocations was particularly important because money spent on children at the early stages of their development constituted an investment for the future.

74. It was important to remember the fundamental idea underlying the Convention as a whole, that the child was the bearer of rights. Children's own views of their needs should therefore be taken into account in all action taken for their benefit. In addition, the Convention was a holistic document and should be implemented in a coordinated manner rather than by dealing with each article as a separate entity. She wished the children of Georgia all the best and expressed the hope that the dialogue with the Committee would be publicized on the delegation's return to Georgia.

75. Ms. BERIDZE (Georgia) thanked the Committee for the constructive spirit in which the dialogue had been conducted.

76. The CHAIRPERSON expressed appreciation for the useful discussion and encouraged the State party to continue its efforts to enhance the rights of children.

The meeting rose at 6 p.m.

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Twenty-fourth session

SUMMARY RECORD OF THE 621st MEETING

Held at the Palais Wilson, Geneva,
on Thursday, 18 May 2000, at 10 a.m.

Chairperson: Ms. OUEDRAOGO

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CONSIDERATION OF REPORTS OF STATES PARTIES (continued)

Second periodic report of Jordan

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The meeting was called to order at 10.10 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Second periodic report of Jordan (CRC/C/70/Add.4; CRC/Q/JOR/2; written replies of the Government of Jordan to the questions raised in the list of issues (document without a symbol, distributed in the meeting room in English only))

1. At the invitation of the Chairperson, Mr. Madi and Mr. Al Tal (Jordan) took places at the Committee table.

2. Mr. MADI (Jordan) said that Jordan consistently sought to integrate into its domestic law and practices the provisions of the international and regional human rights instruments to which it was party, including the Convention on the Rights of the Child. Revision of the Penal Code and of the Law on Juvenile Justice was therefore under way, a bill on the protection of children was in the process of being adopted and a National Plan of Action for Children 1993-2000 had been drawn up in order to implement the Convention on the Rights of the Child.

3. A country like Jordan, in which children represented about half of the population, was bound to be anxious to cater for their present and future needs in order to guarantee its development. That enormous task could not be accomplished without the involvement of civil society and, therefore, the National Task Force for Children and the National Coalition for Children had been set up. The latter grouped 600 representatives of civil society, government and international organizations, with the aim of jointly coordinating and consolidating national policy for children.

4. Over the previous 10 years, the Government of Jordan, in partnership with civil society and with the support of organizations such as the United Nations Children's Fund (UNICEF) and the World Health Organization (WHO), had made considerable progress in the fields of child education and health. In particular, since 1990 the rate of school enrolment had increased to 94 per cent in primary education and 72 per cent in secondary education, while the rate of illiteracy was declining. Another important development was that teaching on human rights and the rights of the child had been introduced into school curricula. A Children's Parliament, made up of 30 boys and 30 girls, had been established; 10 per cent of the seats were set aside for disabled children. Each year, Jordan also hosted the Arab Children's Congress, which enabled children from different Arab countries to meet and discuss their aspirations. In the field of health, infant mortality had fallen from 64 per 1,000 in 1980 to 28 per 1,000 in 1997, and several mother and child health centres had been opened.

5. Violence towards children in all its forms could not be tolerated and Jordan could not but pay tribute to international efforts in that area, particularly concerning the fight against commercial and sexual exploitation of children. Jordan had to a large extent been spared that problem thanks to its traditions and culture. The Jordanian Penal Code contained several provisions that severely punished violence towards children, particularly sexual exploitation of children, and the revision currently under way would make the punishments even tougher.

In 1997 a unit had been established in the Directorate of Public Security to deal with cases of child abuse. Public awareness was also being raised through the media and through various workshops and seminars.

6. Jordanian labour legislation set a minimum age of 16 for employment. In 1996, a reform had introduced restrictions concerning working conditions for children and the type of work they were allowed to perform. A national plan for combating child labour had been established in 1998 and in 2000 Jordan had ratified International Labour Organization (ILO) Convention No. 182.

7. Progress in the field of child rights and welfare continued to be held back by the problem of poverty, which still affected about 20 per cent of the population. Debt servicing, to which the State had to allocate 20 per cent of its budget, put a heavy strain on social spending and Jordan had to make use of external funds to finance its development. Finally, regional instability had caused massive influxes of refugees, who were placing an additional heavy burden on the Jordanian economy.

8. Jordan was committed to implementing the Convention on the Rights of the Child in full and was therefore pursuing an ambitious policy in all areas affecting children. In March it had set up a national committee for human rights, presided over by Queen Rania, whose activities would focus on the rights of women and children.

9. The CHAIRPERSON invited the members of the Committee to ask questions on general measures of implementation and the definition of the child.

10. Ms. EL GUINDI pointed out that the Committee's general guidelines for the preparation of reports had not been followed. She asked why Jordan had entered reservations concerning articles 14, 20 and 21 of the Convention, whether there were alternative means of guaranteeing the rights covered by those articles and whether Jordan envisaged withdrawing its reservations.

11. The Penal Code discriminated against women and the penalties for sexual offences against children, particularly rape, were far from commensurate with the seriousness of that type of offence.

12. Given the shortage of programmes for children, it would be interesting to know whether additional resources could be allocated to social services, despite the country's economic and political difficulties. Regarding coordination mechanisms, what was the precise role of the National Committee and how were coordination and cooperation between the different mechanisms guaranteed? What role did non-governmental organizations (NGOs) play in the preparation of reports and in making available services that the State was not able to provide, particularly with regard to street children and children deprived of a family environment?

13. Ms. RILANTONO asked how data relating to children was collected and analysed, particularly data concerning child labour, street children, children born out of wedlock and children living in rural areas, and what body was responsible for that task. Was the international

aid that funded most action on behalf of children provided in the form of loans or grants? Debt servicing seemed to erode the budget allocations for education and health a little more each year and it would be useful to have some details on that point.

14. Mr. DOEK asked why the Convention had still not been published in the Official Gazette and what, therefore, its exact status was in Jordan. He would also like to know what progress had been made on the bill relating to the rights of the child, which laid down important measures to combat child abuse in particular. Finally, he would welcome further information on the measures taken by the Government - such as training programmes and awareness-raising campaigns - to make people familiar with the Convention, particularly professionals involved in dealing with children, such as social workers, judges and police officers.

15. Mr. FULCI said that the Committee's guidelines on the preparation of reports had not been followed and the basic problem was that Jordan's second report was too often reduced to a list of constitutional and legislative measures that did not give any idea of how the actual situation of children in the State party had changed since the consideration of the previous report. In particular, it did not contain the examples and disaggregated data necessary to form a clear picture of the situation. Jordan, like an increasing number of other countries, had sent diplomats to represent it before the Committee, and that was regrettable because the members of the Committee wanted above all to have a dialogue with people who dealt directly with children's issues.

16. It would be desirable for Jordan to follow the example of many other Arab countries by making every effort to withdraw the reservations it had entered concerning certain articles of the Convention. Moreover, it would be useful to know whether Jordan was satisfied with the bilateral and multilateral aid it received, for example from UNICEF, in order to implement the Convention. Any information on that subject could be reflected in the Committee's recommendations and observations.

17. Finally, the Committee had often emphasized that the implementation of the Convention was a matter not only for Governments but for the whole of society. Besides the crucial role of NGOs and the media in disseminating the principles of the Convention, it was important that children knew they had rights. Could Jordan indicate how they were directly involved in that process?

18. Mr. RABAH said he would like to know whether there was a structure at national level specifically responsible for issues concerning children and he would also like to have more information on the services provided for children at municipal level. Did the distinction made between Jordanian and non-Jordanian children have an impact on the services provided for refugee children and could that distinction be eliminated? Regarding the degree of compatibility between domestic laws and the provisions of the Convention, he wondered about the continued importance of traditions in rural areas; even though they were beginning to be challenged, certain practices, such as crimes of honour, persisted and were punished only with very lenient sentences. The disparities between men and women in Jordanian society posed other problems, since men appeared to be systematically favoured in many fields.

19. Ms. TIGERSTEDT-TÄHTELÄ requested information about the nature of the proposed laws, put forward by NGOs and currently being considered by the Prime Minister, of which there appeared to be many and which necessarily had implications for the budget. In the light of article 4 of the Convention, she would like to know whether children's issues and the principle of the best interests of the child were taken into consideration when annual public budgets and plans were being prepared. What were the procedures for drafting the budget and were there any rules on transparency? It would be useful to know what proportion of the budget was allocated to different sectors (health, social welfare, education, etc.) concerning children.

20. Ms. KARP asked when it was planned to publish the Convention in the Official Gazette, a step which would technically give the Convention force of law. She would like to know why Parliament's consideration of the bill on the rights of the child, initially scheduled for 8 May, had been postponed and when consideration of it would finally take place. In that regard, given that the main elements of the Convention seemed to be dealt with in a scattered manner in various specific pieces of legislation, particularly with regard to criminal matters, it would be useful to know precisely what areas were covered by the bill and the various pieces of applicable legislation and what amendments to the bill were proposed in order to bring Jordanian legislation fully into line with the Convention. The Committee would then be in a position to engage in dialogue on certain points and on any possible shortcomings in the bill.

21. She would like to know what links were in place between the National Coalition for Children and the National Task Force for Children in its new form. She also requested examples of decisions and measures adopted by the latter institution and information about the impact of its activities. Were there any children among the members of the National Task Force? If so, how were they elected? What guarantees existed to ensure that they genuinely represented all Jordanian children? Finally, she would like to know why, among all the committees mentioned, there was none responsible for promoting the participation of children and whether there was any plan to establish one.

22. Ms. MOKHUANE requested clarification of the links between the National Task Force for Children, the National Coalition for Children and the family protection unit. How was coordination ensured? What were their precise responsibilities?

23. Efforts had clearly been made to bring the Jordanian definition of the child fully into line with the Convention, but it was necessary to clarify the issue of amendments to the legislation. What was the current situation in that regard? How were children dealt with when they went to court? Concerning the distribution of the budget, what percentage of social expenditure was allocated to children?

24. Mr. MADI (Jordan) said that the international community was not sufficiently aware of the role that Jordan played in a region characterized by instability. In fact, Jordan had always been noted for its political stability, compared favourably with other countries in terms of its human rights record, and no political executions had ever taken place there. Since the start of the Arab-Israeli conflict, it had been the sole force of moderation in the region. It systematically took in refugees and was currently host to about 300,000 Iraqi refugees. It was still waiting to see the results of the peace treaty signed in 1994 and, even though it was not among the most disadvantaged countries, it still suffered a serious shortage of financial resources.

25. The Jordanian authorities were fully aware that they had to eliminate the practice of "crimes of honour", condemned by Queen Rania in a recent televised speech; however, that meant, first of all, that it was necessary to determine whether that type of crime merited punishment by the maximum sentence or whether it could be assimilated to a crime of passion and, secondly, that financial resources had to be made available to educate the population on the need to eradicate that practice. Otherwise, any bill on the subject would risk being rejected by Parliament. The Committee's suggestions on that point would be welcomed.

The meeting was suspended at 11.10 a.m. and resumed at 11.25 a.m.

26. Mr. AL TAL (Jordan) said that the report being considered was the fruit of a joint national effort on the part of governmental and non-governmental organizations, local communities and social welfare organizations. NGOs and civil society were vital partners in raising awareness of the rights of the child.

27. Jordan had ratified the Convention, which had been confirmed by royal decree in 1994 before entering into force. Work was under way to compile comprehensive information about the rights of the child and human rights for publication in the Official Gazette as part of the programme to raise awareness of international instruments and the Convention.

28. External debt servicing and the programme of structural adjustment required considerable sums, which accordingly reduced the State budget. According to the most recent statistics in a United Nations Development Programme (UNDP) report, the average proportion of resources allocated to education (7 per cent) and health services (6 per cent) was nonetheless at an acceptable level. Resources were also allocated to a large number of institutions and organizations responsible for child welfare.

29. The reservations regarding a number of articles of the Convention had been made out of concern for compatibility with Islamic law, since 93 per cent of the inhabitants of Jordan were Muslims. The concept of adoption, as defined in the Convention, was not in conformity with the shariah, which provided for the institution of kafalah (protection), applied in many other Islamic countries, according to which an abandoned or orphaned child could be taken care of by a family while keeping his or her original name, if it was known. Such a child had no legal right to inherit from that family but, in practice, part of the inheritance was reserved for him or her. The individual characteristics of each State should be taken into consideration in human rights matters.

30. The National Task Force for Children had the mission of promoting the rights of the child, whereas the National Coalition for Children maintained the link between governmental and non-governmental organizations. The National Coalition had more than 600 members - private individuals or representatives of government institutions, NGOs and international organizations. NGOs played a very important role on the ground; they worked in full cooperation with the Government and submitted projects and programmes to it for dissemination to the different ministries concerned.

31. Parliament's consideration of the bill on the rights of the child should have taken place on 8 May, but had had to be postponed because the conference of the Inter-Parliamentary Union

was being held; the bill would be submitted to the next session of Parliament. The amendments to criminal law were aimed at setting tougher sentences for sexual offences against minors. The age of criminal responsibility was to be raised from seven to 12 years and the minimum age of marriage to 18 years for both sexes. The bill was intended to draw together the laws concerning most of the rights of the child recognized in the Convention. Copies of the bill were available for the members of the Committee.

32. The National Statistical Office carried out studies on certain population issues and on the different sectors of the economy, but was not responsible for collecting data on some phenomena, such as street children. In that regard, it should be stated that in Jordan there were no "street children" in the sense in which the term was used in Europe; there were young street vendors whose activities the Ministry of Social Development tried to monitor and limit. The dearth of statistics on certain sectors was due to the lack of resources and was a major problem. However, NGOs were compiling some statistics relating to children.

33. Many Palestinian refugees, including children, had lived in Jordan for a long time. In conformity with United Nations resolutions, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) was responsible for assisting those people. As a host country, Jordan also provided all the necessary services for children, within the limits of its resources. It had recently asked UNRWA and donor countries not to reduce the amount of aid they provided, particularly in the field of education. Moreover, it had granted Jordanian nationality to the Palestinian refugees who, through that status, enjoyed the same treatment as other citizens. There was therefore no discrimination against non-Jordanian children.

34. There should be no discrimination, moreover, on the grounds of sex. The bill currently being considered would stipulate that the legal age for marriage was 18 for both sexes. In the field of education, enrolment rates were higher for girls and women at all levels, even though their rate of illiteracy also seemed to be higher.

35. Jordan would ensure that its next report corresponded fully to the Committee's guidelines and had already taken steps to arrange meetings of experts on the preparation of the reports that it had to submit on the implementation of the international instruments to which it was party, including the Convention.

36. There were many programmes aimed at children on both radio and television, and NGOs regularly organized campaigns to raise awareness of the rights of the child. The private sector also played an important role in that area. In addition, Jordan sought to exchange experience and information with other countries, particularly the other countries in the region. It was especially grateful to UNICEF and WHO for their generous aid in that regard. Moreover, many workshops, seminars and symposia were held in Jordan for children and for all those who worked to promote their rights, in order to provide information about, and comment on, Government action in the field of child welfare.

37. Numerous bodies dealt to one extent or another with the rights of the child, at the highest political level and in the field, in the public and private sectors. Particular mention should be made of the family protection units established under the Ministry of the Interior, which investigated all complaints concerning violations of children's rights and took the necessary

action to ensure that those responsible were punished; and of the National Coalition for Children, composed of representatives of NGOs and international organizations (including UNICEF, which was involved in the establishment of family protection units throughout the country), as well as representatives of governmental bodies, its mission being to make recommendations and put forward proposals for amendments to the legislation.

38. The creation of children's town councils was an excellent idea and it would be submitted to the relevant authorities. Jordan was fully prepared to make use of the experience acquired by other countries in regard to strengthening children's rights.

39. The CHAIRPERSON invited the members of the Committee to ask questions about general principles and civil rights and freedoms.

40. Mr. FULCI said that the report did not contain enough information about children born out of wedlock, refugees, ethnic minorities and the disparities between rural and urban areas. With regard to children born out of wedlock, he would like to have details about their rights in respect of inheritance, maintenance and custody, and in general about the responsibilities of their parents. He would also like to know whether measures had been taken, in cooperation with the religious authorities, for example, to prevent and combat all forms of discrimination against such children and to make the public aware of the need to protect them.

41. Recalling the concerns expressed by the Committee against Torture regarding acts of torture and ill-treatment inflicted upon detainees, he asked for clarification about the case reported by Amnesty International of a 14-year-old boy who had allegedly been tortured by Jordanian police officers in 1997.

42. Ms. MOKHUANE, referring to the question of discrimination against women, asked what measures other than the enactment of laws had been taken to change attitudes, especially with regard to crimes of honour.

43. Mr. AL TAL (Jordan) said that his country recognized and respected the important role played by Amnesty International and had always endeavoured to facilitate its task by ensuring complete transparency during its periodic visits to Jordan. Perpetrators of acts of torture were tried and punished. Jordan was taking all possible steps to guarantee the honour and dignity of the human person.

44. With regard to minorities, all Jordanians were equal before the law, whatever their origin, language or religion. Children of all denominations were therefore free to practise their beliefs. The Council of Churches dealt with all issues relating to the different religions, and the Government did not intervene in such matters.

45. In Jordan, all citizens, male and female, were equal before the law. The National Charter and the Constitution expressly set forth that equality, even if practice might not always be consonant with the law in some very specific areas on account of traditions. The fact that Jordan was an Arab country must not be construed as meaning that women were unable to take part on an equal footing in the life of society and to exercise all their rights. Parliament would shortly be considering a bill aimed at modifying a number of legislative acts in order to eliminate

gender-based discrimination. Those instruments dealt with matters such as employment, social security, the rental of dwellings, marriage contracts, nationality and taxes. The changes related, for example, to the right of a widow to receive her deceased husband's pension, the right of a woman and her children to obtain a passport without needing the consent of the husband or father, and a woman's right to enrol her children in a medical insurance scheme. A royal committee had, moreover, been set up by decree with a view to changing laws and practices that prevented women and children from enjoying their rights. Passing laws was not enough in itself, of course, as the laws still had to be enforced and action to raise awareness about the problems posed by such practices would therefore have to be conducted by the media and by governmental and other bodies.

46. With regard to "crimes of honour", a council composed of representatives of the Upper House and Lower House of Parliament would shortly be considering a bill aimed at changing the law so that those acts were duly punished. Such a reform was called for by NGOs, women's and family associations.

47. With regard to children born out of wedlock, their situation depended on whether or not the parents were known and whether or not the children had been recognized by their parents. A child whose parents were not known was placed within the kafalah system. If a child had not been recognized by his or her father, the mother, if known, was put in prison for sexual misconduct and the child was given an alternative name in a centre, with his or her real name nevertheless being kept on record. When she was released, the mother could apply to a court to recover the child. In the rare cases where the child was then recognized by the father, the parents married and the child went to live with them. In any event, children born out of wedlock were considered as Jordanian citizens and enjoyed the same rights as legitimate children. They were placed in centres by the Ministry responsible for social welfare and received an education until they were adults or until one of their parents recognized them.

48. Ms. EL GUINDI said she found it incomprehensible that a woman who gave birth to a child conceived as the result of an act of rape should be imprisoned if the rapist's identity was not known. Why did she receive no assistance? Did the law permit abortion in cases of rape?

49. She wished to know whether a Jordanian woman who married a foreigner could transmit her nationality to her children. In a case where the parents were separated and the father was still alive, could custody be granted to the mother in the child's best interests? The Penal Code included no penalty for a man who killed his wife because her behaviour had not been in conformity with tradition. The same was not true for a woman who killed her husband for the same reasons. Was consideration being given to remedying such discrimination? Lastly, was the death penalty applicable to a child under 13 years of age?

50. Ms. KARP noted from the written reply to question No. 6 that a person had to be at least 18 years of age to give evidence in court. That rule seemed to be incompatible with article 12 of the Convention. If children could not testify about violations of their rights, how could the authorities combat such abuse? Were there any plans to change the relevant legislation?

51. She welcomed the creation of a royal committee to combat discrimination against women and children, and hoped that it would also deal with the problem of crimes of honour. The establishment of family protection units was also encouraging, but their field of action would seem to have been reduced for financial reasons. Instead of tackling violence within the family in general, their activities would now be concerned only with violence against children, yet it was also essential to address the issue of violence against women, especially as the two phenomena were related. Furthermore, family protection units did not seem to have been established outside the capital, contrary to what had originally been planned. Was that not discriminating against children who lived in other parts of the country?

52. Crimes of honour affected not only women who had sexual relations outside marriage but also women who were rape victims. Why were women alone to fight against crimes of honour? What was being done to change men's attitudes in that regard and to make husbands and fathers understand that it was their duty to protect their spouses and daughters? Instead of being imprisoned, raped women should be helped so that they would not have to fear being killed or having their lives ruined.

53. Ms. RILANTONO noted that the Penal Code called for sentences of six months to three years in prison and forced labour for anyone who encouraged abortion or let someone incite a woman to have an abortion. How many cases of that kind had come before the courts? Were there any clandestine abortions? Lastly, what was the percentage of children declared at birth in rural and in urban areas?

54. Mr. RABAH asked why cases of child abuse were regarded as part of the responsibility of the Directorate of Public Security rather than, for example, of the Ministry of Justice or the Ministry of Social Development.

55. Mr. DOEK said that Jordan's reservations to articles 20 and 21 of the Convention were in his view unnecessary. Article 21 concerned measures to be taken by States parties that recognized and/or permitted adoption. There was thus no obligation for a State party to permit adoption. Article 20 provided that alternative care "could include ... kafalah of Islamic law". From those standpoints, the arrangements made by Jordan were in no way incompatible with the Convention.

56. Was the Jordanian Government planning to change the rules applicable to children born out of wedlock? It was not because the behaviour of the parents was deemed "unacceptable" that the children had to be punished. Did the fact that some parents belonged to an unrecognized religious group have any impact on the rights of the child in regard, for example, to access to education or social services?

57. Ms. MOKHUANE said that, according to some reports, a non-Muslim woman who married a Muslim could not inherit her husband's property. If that was the case, could the children inherit the property? Also, could the Jordanian delegation give some information about the situation of the Baha'i? What criteria were applied to decide whether or not a religion was recognized? In Jordan, the number of road accidents was high and many of the victims were children; how could one therefore speak of respect for the child's right to survival and development?

58. Ms. KARP asked whether the Committee's recommendation concerning the withdrawal of the reservations to articles 20 and 21 had given rise to any discussion in Jordan. If so, what had been the outcome and what arguments had been presented against withdrawing the reservations?

59. The Committee had furthermore recommended that Jordan should undertake a study on violence within the family. Had such a study been made and, if so, what had been its findings and what kinds of abuse had been identified? Lastly, had provisions been incorporated into the new legislation to prevent corporal punishment within the family? Corporal punishment was prohibited in schools, but were steps being taken to ensure that the prohibition was respected? Had any complaints been filed? Had they given rise to any investigations?

The meeting rose at 1 p.m.

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COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-fourth session

SUMMARY RECORD OF THE 622nd MEETING

Held at the Palais Wilson, Geneva,
on Thursday, 18 May 2000, at 3 p.m.

Chairperson: Ms. OUEDRAOGO

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Second periodic report of Jordan (continued)

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The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

> Second periodic report of Jordan (CRC/C/70/Add.4, HRI/CORE/1/Add.18/Rev.1, CRC/C/Q/JOR/2; written replies of Jordan to questions raised in the list of issues (document without a symbol, distributed in the meeting room in English only)) (continued)

1. At the invitation of the Chairperson, the members of the delegation of Jordan resumed places at the Committee table.

2. Mr. AL TAL (Jordan), replying to a question on the shariah, said that, although the precepts of Islam were clear and should be respected, they were sometimes misunderstood, often as a result of stereotyping. Discussions had taken place at various levels on the compatibility of Sharia with international instruments, most recently at a meeting of Islamic experts in Geneva.

3. The detention of women who had been raped was intended not as punishment, but as protection. Rape victims' lives might be in danger from acts of vengeance, and out of humanitarian and social concern they were placed in centres where they would be in safety. Those centres were not detention centres.

4. On the question of women transmitting their nationality to their children, he said that Jordanian law gave the father the right to pass on nationality. Women who were married to non-Jordanians had no such right, although it had sometimes been granted for humanitarian reasons. The question was currently of great concern to women's organizations and other NGOs.

5. In cases of divorce, the mother was given custody of the child but the father retained guardianship.

6. Punishment for crimes of honour was currently a subject of serious debate. Both men and women had taken part in a campaign for amendment of the legislation to provide for equal treatment of men and women and for heavier penalties. The bill currently before Parliament included such provisions.

7. The death penalty was never imposed on children.

8. He said that the Family Protection Unit was part of the Directorate of Public Security of the Ministry of Internal Affairs. It was not the only body working in the area of children's rights but it had executive authority to monitor and follow up cases of violence against children. It cooperated with governmental and non-governmental organizations. It was now studying the incidence of sexual violence against women. Two other units had been set up outside the capital in order to improve coverage.

9. Jordan had no special centres to protect women who were victims of violence, but serious consideration was being given to establishing such centres.

10. In rural areas there were a number of bodies, including units within the Ministry of Justice and various NGOs, which monitored cases of violence against children and violations of children's rights.

11. Abortion was prohibited in Jordan. A child's right to life started at conception and severe penalties were imposed on those performing abortions.

12. The deadline for registration of births was intended to encourage parents to register newborn children, but they did not lose the right to do so if they exceeded the time limit. According to statistics, 98 per cent of births in Jordan were registered.

13. With regard to Jordan's reservations to certain articles of the Convention, he said that Jordan's accession to any international instrument was subject to authorization by various bodies of social and legal experts, who gave serious consideration to such questions. Jordan respected the recommendations of the Committee, but would maintain its reservations for the moment.

14. All children, whether born in or out of wedlock, had the same rights under the Constitution and the law. The same applied to the children of different religions or communities. In that regard, Jordan complied fully with the relevant articles of the Universal Declaration of Human Rights. The right to freedom of religion, including the freedom to establish schools and religious courts, was also protected under the Constitution and those who violated that freedom were punished in accordance with the Penal Code. All religious associations and communities had to be registered by law in order to enjoy those rights and freedoms. The Baha'i enjoyed the same freedom of worship and had the same rights in terms of education, access to civil service positions, etc., as other groups in Jordan.

15. Traffic accidents were an increasing problem in Jordan owing to the rise in the number of vehicles on the road. Special workshops were being run to raise awareness among children, families and the traffic police and a media campaign had been launched.

16. The studies of domestic violence carried out to date were incomplete. A national survey was planned and statistics would then be produced. Corporal punishment was not widespread and was strictly prohibited in schools. However, it might occur in families, depending on their level of education.

17. With regard to children's right to be heard, under Jordanian law children must be allowed to give evidence if it was in their interests, and if they themselves were the subject of the case there was no need for them to swear an oath. It was for the court to assess the significance of a child's evidence.

18. If a husband and wife were of different religions, the wife could not inherit, but their children could. It was not, however, against the law for a man to make provision for his wife in his will.

19. Mr. RABAH asked whether it would be possible for the Government to establish a position of Ombudsman to examine children's complaints.

20. The law provided for free compulsory primary education, but what was the quality of the education provided in State schools? In that sense, could children at State schools be said to be equal to children at private schools? Were there any statistics on drop-out rates, particularly the rate for girls, who did not have the same opportunities to attend school as boys? Were children in rural areas given particular encouragement to attend school?

21. He asked whether juvenile offenders were afforded the possibility of appealing against their sentences? How were rehabilitation establishments run in Jordan? Were there any facilities for female juvenile offenders?

22. Mr. DOEK said that the Government had provided no specific data concerning the extent of the problems of child neglect and abuse, including sexual abuse. According to NGOs, two thirds of the sexual assaults reported to the police involved victims who were minors, as did one fourth of physical assaults. Were there any policies or programmes addressing that very serious problem, such as a reporting system or complaints mechanism? The Family Protection Unit did not appear to be very effective in identifying such cases. The United Nations Children's Fund (UNICEF) had produced a very useful manual on child neglect and abuse. Was that publication used by social workers?

23. The written replies to the list of issues set out an impressive list of services for disabled persons. It was not clear, however, to what extent such services were accessible to disabled children. According to the information made available to the Committee, only 20 per cent of disabled persons received planned and programmed care at institutions in the public and private sectors. Did the same proportion apply to disabled children? Could the delegation provide additional data on young people's access to reproductive health information and medical advice? According to the report, there were some two dozen institutions for vagrant children in Jordan. How did the Government address that problem?

24. Ms. MOKHUANE, noting that the Government had provided information on a number of accident prevention and health programmes, requested data on the programmes' success rates. The delegation had referred to steps taken by the Government to prevent the spread of HIV/AIDS from abroad. Did that mean that blood tests were administered to new arrivals? How were those measures taken in practical terms? She asked whether the prevention programme which aimed at stopping the transmission of the HIV/AIDS virus from a pregnant mother to her unborn child included the provision of drugs to help prevent transmission or was limited to counselling. It was very difficult to analyse the actual health situation of teenagers based upon the data furnished by the Government, which merely mentioned the various programmes implemented without describing their effective impact.

25. Mr. AL TAL (Jordan) said that the establishment of complaints offices to receive reports by children of abuse had been a major step forward. Such centres and the law enforcement services ran hotlines which received calls for help from all sources and referred cases to the Family Protection Unit, which also maintained a hotline.

26. The Education Act stipulated that schooling was mandatory for children up to the age of 16. While some children dropped out of school, the phenomenon was quite limited, and the Ministry of Education and other government services were working to combat it, through social

workers and school staff. He did not have precise statistics on the number of children who had re-enrolled in school as a result of those efforts. The main reasons for dropping out of school were related to poor academic performance and to family circumstances. According to the latest available statistics, which related to 1996 and 1997, the overall drop-out rate had stood at 0.9 per cent. The rate was higher for boys because boys were more often compelled by family responsibilities to work or sell goods in the street. The drop-out rate was generally higher in the older age groups, and one of the reasons for the rate of nearly 2 per cent among girls at the secondary level might be early marriage.

27. With some 33 per cent of the country's population enrolled in school, the education system played an extremely important role in the implementation of the Government's policy of openness and economic liberalization. Secondary school test results had shown that many children enrolled in State schools outside the capital performed as well or better than those in private schools. A decision had recently been taken to introduce foreign language studies in State schools from the first year of schooling and to place more emphasis on science and technology.

28. Recent statistics indicated that violence against children was rising, especially in Amman. However, the higher statistics also reflected a growing awareness of the problem and of the role of institutions set up to deal with it. In particular, the Government had initiated an awareness programme aimed at informing judges, policemen, social workers and others about the problem of violence against children, and was working with NGOs and UNICEF to combat it. Several NGOs were able to receive complaints, and one had proposed certain legislative changes.

The meeting was suspended at 4.10 p.m. and resumed at 4.25 p.m.

29. Mr. AL TAL (Jordan) said that special legal procedures existed for trying minors. The first procedure involved transforming a court which was hearing a case involving a minor into a juvenile court. If the court found the juvenile offender responsible for the offence, he or she was sent to a juvenile remand home for a period commensurate with the offence. The main objective of such homes, which were staffed by rehabilitation professionals, was to provide guidance and vocational training to permit juvenile offenders to become full-fledged members of society. When an offender's behaviour so permitted, the supervisors of the remand home authorized attendance at the educational establishment located closest to the institution.

30. Most cases involving street children resulted from broken homes. Social centres and specialized agencies provided a wide range of services to street children, including educational assistance, protection and health care. He could not provide precise statistics on the problem. About 20 per cent of disabled Jordanians received services through centres for the disabled, generally only those whose families, for economic or social reasons, could not provide sufficient care.

31. The AIDS epidemic was still somewhat limited in Jordan; approximately 150 persons had been infected with HIV or had developed AIDS. People arriving in the country were not subjected to blood tests or any other special checks at border crossings. However, if there was suspicion that a specific person residing in Jordan was infected with the virus, that person would

have to undergo the necessary tests . The Government felt that the best way to prevent AIDS was through awareness. A programme aimed at informing youths of the risks of AIDS was currently under consideration. Publications and manuals on AIDS were distributed to Jordanian youth, and seminars were held throughout the country.

32. He could not provide precise statistics regarding the exploitation of minors and violence committed against them, but he could state that any person, doctor, social worker or law enforcement officer learning of such a case would be obliged to report it. Failure to do so was punishable by law.

33. The positive results of the programmes introduced for the benefit of children were reflected in the statistics provided in the report, such as the fall in the illiteracy and child mortality rates and the increase in the school enrolment rate.

34. Mr. FULCI cited independent sources as stating that many children in remote areas of Jordan, particularly those from Bedouin communities, did not go to school. In addition, increasing numbers of children were begging or peddling in the country's large cities. A national workshop held in 1998 had prepared a plan of action to address the problem of child labour and he would like to know whether that plan was being implemented. He also asked whether Jordan was planning to ratify the International Labour Organization (ILO) Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

35. Ms. MOKHUANE, noting that education was compulsory up to the age of 17, asked whether teenage girls who became pregnant were permitted to stay at school and, if not, whether alternative forms of education were available to them. Given the traditionally negative attitude in Jordan towards having children out of wedlock, she would like to know whether responsible teenagers who wanted to protect themselves from pregnancy were able to obtain free contraceptives. She also asked what measures were in place to prevent child prostitution and pornography, as no information on those two subjects was given in the report.

36. Ms. RILANTONO, noting that there were about 2,000 child beggars in Jordan and that a total of 611 had been arrested in 1997, asked whether such children were subject to legal proceedings after arrest. She would also like to know what arrangements were in place to provide education for refugees. As the high cost of vaccines had been cited as an impediment to their widespread use, she would like to know whether vaccines were produced domestically in an effort to reduce costs.

37. Mr. DOEK said that statistics provided in the report showed that, in 1996, 13 per cent of boys aged 15 and 16 and 1 per cent of girls in the same age group had been working, yet the report stated elsewhere that education was compulsory up to the age of 17. He would like to know whether the Government was taking any action to prevent children being employed before the end of their compulsory education.

38. The written reply to question 17 described the provision made for registered refugees; however, according to other sources of information, there were many non-registered refugees in Jordan, including 180,000 Palestinians living in poor conditions in unofficial refugee camps and

a substantial number of Iraqi refugees. While he recognized the scale of the refugee problem the country faced, he would appreciate further information about the situation of non-registered refugees and about the Government's policy in that regard.

39. According to information he had obtained, there were some cases of polygamy in Jordan. He requested more information from the delegation on that subject, particularly as polygamy could have a negative impact on children.

40. Regarding institutions for children, he asked whether it was true that juvenile delinquents, children with family problems and child victims of violence were all placed together in such institutions. Were their different problems and needs addressed separately?

41. Mr. RABAH asked whether steps were being taken in Jordan to reduce the effects of leaded petrol, the fumes of which constituted a risk to the health of young people in particular. There were reports of a number of cases of contamination of breast milk with pesticides such as DDT. He wondered whether it was wise to encourage breastfeeding in such cases and asked whether the Government had taken steps to address the problem of pesticide contamination. The fact that smoking of both tobacco and narghiles was widespread among young people in Jordan also gave cause for concern, as smoking had a harmful effect on health.

42. Ms. EL GUINDI said that the fact that the school enrolment rate was higher among girls than among boys suggested that a significant proportion of school-age boys were working, even though it was against the law. She would like to know what measures were in place to protect child workers.

43. Ms. KARP said that the Committee had produced concluding observations on the initial report of Jordan in 1994, yet the second periodic report stated that amendments to the juvenile justice system were still to be debated in Parliament. She would like to know why, in the six years since discussion of the initial report, no legislation had been approved and what obstacles to that process were being encountered.

44. Regarding education, she asked in what way the right to play was taken into account in the policies and practices of the Ministry of Education. She would also like to know whether the teaching of children's rights formed part of teacher training.

45. She requested information about the effect given to complaints of violations of children's rights which had been dealt with by authorities other than the Family Protection Unit. She also wondered whether a study had been conducted in Jordan on the commercial sexual exploitation of children and whether the country had participated in the World Congress against Commercial Sexual Exploitation of Children, held in Stockholm in 1996. She would also like to know whether national legislation afforded boys the same protection against sexual exploitation as girls.

46. Ms. MOKHUANE requested further information on the extent of the problem of substance abuse and asked whether there were any programmes aimed at young people in that

regard. Certain NGOs had expressed concern at the large number of young people in Jordan who smoked. She would like to know whether any public health programmes had been set up to combat that problem and, if so, what results they had achieved.

47. Ms. TIGERSTEDT-TÄHTELÄ noted with interest that the comments of NGOs were contained in an appendix to the report, whereas States parties usually incorporated NGO input into the main body of the report. She would like to know why Jordan had chosen to present NGO input in that way. It seemed that various NGOs were active in Jordan, but that their activities did not always lead to concrete action at a political level. She wondered whether political will was lacking in that respect.

48. The CHAIRPERSON, noting that men in Jordan had the right to divorce their wives without informing them, said that such a course of action might have an adverse effect on the children involved. She would like to know whether the State party planned to review its legislation in that regard.

The meeting was suspended at 5 p.m. and resumed at 5.10 p.m.

49. Mr. AL TAL (Jordan) said that the law granted both spouses the right to file for divorce if their marriage had irretrievably broken down.

50. It was true that children worked, for example as peddlers, in certain remote rural areas. However, the Government was attempting to address that problem through various measures, such as the recent introduction of a policy aimed at encouraging nomads to settle in one place. A legislative amendment had been drafted imposing penalties on the parents of children who worked.

51. The National Plan of Action for Children had set ambitious objectives, but the resources available to implement it were insufficient and the assistance of international organizations was needed in that regard. Nonetheless, the Government had begun implementing aspects of the plan where possible.

52. Jordan had recently ratified the ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

53. Married teenage girls who became pregnant were permitted to continue their schooling; the problem of unmarried teenage mothers did not exist in Jordan. Because of the country's religion and customs, sexual exploitation of children also did not occur. However, the law provided for severe penalties in the event that sexual exploitation of children occurred.

54. Vaccinations were imported into Jordan and were expensive: 90 per cent of the MMR (Measles, Mumps, Rubella) vaccines had been distributed.

55. Turning to refugees, he said that in accordance with a General Assembly resolution, all Palestinian refugees were officially registered. Since 1967, some Palestinians had returned to

their homes, but Jordan was also a place of transit for refugees from other countries. The authorities had signed two conventions with the Office of the United Nations High Commissioner for Refugees, affording it unobstructed access to refugees.

56. The type of centres in which young male and female offenders were detained depended on the category of offence. While facilities were by no means adequate, offenders were placed in appropriate groups for training and social reintegration programmes.

57. Replying to a question by Mr. Rabah, he said his country had become increasingly aware in recent decades of the many environmental crises to which the planet was subject. Since the Rio Conference, Jordan had established an environmental plan and set up environmental institutions. Many environmental problems were cross-border phenomena, but Jordan had long ago enacted legislative and other provisions governing the use of pesticides. The use of unleaded petrol was still its early stages, but numerous other measures were in place to combat water, air and waste pollution. Legislative amendments had been enacted to prohibit tobacco advertising and smoking in public places. Many universities, government offices and private firms were already smoke-free.

58. Child labour was a twofold problem. Although the minimum age for employment was 16, parents in difficult economic and social circumstances often ignored the legislation and permitted their children to work. However, children were not permitted to engage in hazardous or night work or to work excessively long hours. Jordan was endeavouring to meet certain priorities, but because it aimed for transparency and consultation, bills were always aired in the media and discussed by governmental and other bodies; they could be returned to the lawmakers for redrafting, which could be a lengthy process.

59. He assured the Committee that child sexual exploitation was unknown in Jordan. Being a transit country with a young people, Jordan did have a very limited drug abuse problem and was implementing programmes to combat the scourge. Polygamy, which occurred rarely and only in certain rural areas, had little impact on the lives of children.

60. The CHAIRPERSON invited the Committee members to put follow-up questions to the delegation of Jordan.

61. Ms. MOKHUANE asked whether the recommendations of the youth forum concerning the inadequacy of the resources earmarked for children's mental health problems - especially psychological stress - and the scant involvement of young people in priority-setting were being implemented and how teenagers' mental health concerns were generally addressed. She reiterated her earlier question concerning substance abuse.

62. Mr. FULCI asked whether a study had been undertaken to determine the cause of the reportedly alarming rate of cancer among children and juveniles.

63. The CHAIRPERSON asked whether sports services for girls were adequate. As Jordanian traditions appeared to place restrictions on the movements of girls, she wondered

whether there was a contradiction between their education and the situation in the country. What measures were being taken to ensure more balanced representation of girls on professional training courses?

64. Ms. KARP reiterated her question concerning children's right to play.

65. Mr. AL TAL (Jordan) acknowledged that cancer was spreading at a disturbing rate among children and adults alike. Numerous causes, such as solar radiation and pesticides, had been identified, but Jordan had been one of the first countries to establish a modern, well-equipped cancer centre.

66. He assured the Committee that there was no restriction whatsoever on girls' practice of sports. Participation in sports was open to all and was strongly encouraged in schools and clubs. His country monitored and supported sporting events in the Arab world and elsewhere and was represented by many female teams and teams for disabled women as well as men. In some circles female sports were discouraged owing to social traditions. The right existed in theory even if people could not be compelled to exercise it.

67. Owing to the transparency invariably practised by Jordan, NGOs were free to monitor respect for children's rights and file reports independently of those submitted by the Government, hence the leading role they played in that field.

68. The questions concerning health care and mental health had been answered in the report. Jordan was implementing ambitious projects on social spending, which would require enhanced efforts on the part of the Government and NGOs. Lack of resources was a major handicap. For example, the debt service bill for 2000 was equivalent to three years' social spending.

69. The CHAIRPERSON invited Ms. El Guindi, as Country Rapporteur, to summarize the Committee's preliminary conclusions on the initial report of Jordan.

70. Ms. EL GUINDI (Country Rapporteur) expressed the view that the dialogue between the Jordanian delegation and the Committee had been a productive and informative one which had shown the country's political will to protect its children, despite its debt and structural adjustment difficulties.

71. Among the positive trends, Jordan's imminent compilation of all laws relating to children would be instrumental in publicizing the provisions of the Convention, and there was an active movement among civil society and women's organizations to correct the negative trends that affected children's lives.

72. On the negative side, Islamic customs and traditions clearly had an adverse impact on the lives of women and children; she recommended that the authorities act more energetically and positively to transform those customs, involving men in the process. Jordan should also follow the reporting guidelines more closely in order to facilitate the Committee's task. All countries suffered financial constraints, but the wisdom was needed to allocate scant resources in the manner most beneficial to children. The authorities should also ensure that provisions which discriminated against women and girls were removed from the Penal Code.

73. She hoped that the Committee's concluding observations, which the authorities would shortly receive, would help Jordan give its children all they required for their well-being.

74. Mr. AL TAL (Jordan) praised the Chairperson for the positive manner in which she had led the discussions, and the Committee members for their helpful suggestions. The Government would take all their comments into account. As Ms. El Guindi had observed, while a political commitment existed, it was perhaps necessary for resources to be redeployed. In Jordan's view governmental, intergovernmental and non-governmental organizations and civil society as a whole were the country's partners; he called on them to take the initiative in helping ensure respect for children's rights.

75. Mr. FULCI asked the delegation to seek the Jordanian authorities' support for the draft resolution to increase the Committee's membership.

76. The CHAIRPERSON reiterated the areas which Committee members had stressed as requiring more vigorous action, among them corporal punishment, the environment and child labour. She commended the delegation on its presentation and replies and praised the authorities for their evident resolve to protect the children of Jordan.

The meeting rose at 5.55 p.m.

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SUMMARY RECORD (PARTIAL)* OF THE 623rd MEETING

Held at the Palais Wilson, Geneva,
on Friday, 19 May 2000, at 10 a.m.

Chairperson: Ms. OUEDRAOGO

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* No summary record was prepared for the rest of the meeting (closed).

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The meeting was called to order at 10.10 a.m.

COOPERATION WITH OTHER UNITED NATIONS BODIES, SPECIALIZED AGENCIES AND OTHER COMPETENT BODIES (agenda item 5)

1. Ms. MILLER (United Nations Children's Fund) said that UNICEF would provide the Committee with more detailed information at a later date regarding the initiative for a world partnership for children launched by Mr. Mandela and Ms. Machel. In a letter addressed to leading figures in the world of politics, economics, science, culture and sport, Mr. Mandela and Ms. Machel had urged them to mobilize on children's behalf and take steps to improve the fate of children who were victims of armed conflicts, to combat the spread of avoidable diseases such as HIV/AIDS, and to put an end to discrimination, particularly against girl-children, and to situations of extreme poverty.

2. UNICEF had recently organized a regional conference in Lomé on the promotion and protection of women's and children's rights, in which ministers from 23 West and Central African countries had participated. The participants had considered issues such as bringing national legislation into line with the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women, public funding of the implementation of the two Conventions, and establishment of national structures to coordinate action on behalf of children and women; they had prepared a plan of action and committed themselves to promoting implementation of the Conventions in their own countries and to coordinating efforts to promote them at the regional level.

3. On the initiative of UNICEF and the Secretary-General's Special Representative on Children and Armed Conflict, it had been decided two months before to establish posts of children's rights advisers within the United Nations Department of Peace-keeping Operations. One adviser was already out in the field in Sierra Leone and another would shortly arrive in the Democratic Republic of the Congo; their task would be to advise the head of mission on all issues relating to the protection of children, on coordination between the United Nations mission and the United Nations specialized agencies, including UNICEF, and on the role of NGOs specializing in the rights of the child. In addition, they would provide support to Governments in preparing their reports for submission in accordance with the Convention.

4. Lastly, she said UNICEF and OHCHR had prepared a joint project to promote activities by national human rights institutions in support of children's rights, since few countries had established a post of ombudsman for children. The project would include an assessment of whether the institutions had staff and funding to deal with children's rights.

5. Ms. HOLST (United Nations Educational, Scientific and Cultural Organization) said that the World Education Forum held in Dakar between 26 and 28 April had been an opportunity to report on the work done as part of the Education for All 2000 assessment, launched in Jomtien (Thailand) in 1989. The assessment had been conducted at the international, national and regional levels and was the most comprehensive evaluation of education ever undertaken. It had revealed considerable progress in ensuring quality education but also widening gaps between the various education systems. The Dakar Framework for Action, adopted at the Forum, defined a

set of broad, interdependent objectives and 12 global strategies for attaining them, including extending the scope of activity to informal education, training and literacy, and promoting partnership between State authorities and civil society.

6. The World Education Report 2000 provided an overview of a series of commitments undertaken by the international community in order to implement the right to education. It included an analysis of the progress made in implementing the right to education in various regions of the world and a set of indicators relating to basic aspects of education in more than 180 countries.

7. UNESCO had launched its "Innocence in Danger" programme as a means of following up its plan of action to combat child pornography and paedophilia on the Internet by supporting specialists and NGOs in that field; it sought to group together Internet professionals, child protection specialists, public figures and political leaders in national action groups, in order to sensitize world opinion and mobilize human, technical and financial resources. Regional forums had been organized in Greece for the Balkans and the Mediterranean, in Brussels for Europe and in Buenos Aires for Latin America.

8. As part of the International Year for the Culture of Peace, UNESCO was currently preparing a symposium on the teaching of values to be held in Paris in the autumn, which would bring together child experts and representatives of member States in order to produce guidelines and formulate concrete action to be taken in that regard.

9. Ms. ALLEN (NGO Group for the Convention on the Rights of the Child) said that the Group was a federation currently comprising 44 international institutions specializing in the defence of children's rights; it was in contact with associations in more than 100 countries and was continually aiming to expand its audience.

10. The Group had several publications to its credit, including a guide for NGOs on the preparation of reports to be submitted under the Convention and background documents on issues such as sexual exploitation and child labour. It would soon be publishing another guide for NGOs, on ways of improving their monitoring of the implementation of children's rights and of developing their promotion activities. It would contain a great deal of advice for NGOs, particularly on setting up dynamic networks, developing strategies on the various issues surrounding children's rights, pressing for legislative and policy reform, organizing campaigns in support of children's rights and participation, the operation of the system for preparing reports for the Committee and the implementation of the Committee's observations.

11. Mr. BURGER (Office of the United Nations High Commissioner for Human Rights) said he wished to raise the question of how to establish cooperation between indigenous organizations and the Committee, and to describe some of OHCHR's current and planned work on behalf of children and young people from indigenous groups. A workshop would be held in Geneva in July to sensitize NGOs to the issue of indigenous children and young people, and indigenous peoples' main concerns would be raised there. The United Nations Working Group on Indigenous Populations had suggested devoting its meetings of 25 July to a dialogue between indigenous children and young people, on the one hand, and government experts and members of United Nations committees, on the other.

12. The Committee on the Rights of the Child paid almost as little attention as other United Nations bodies to the fate of the 500 million indigenous people, despite the fact that they were clearly disadvantaged in the areas of education and health and that most of them were beset by armed conflict and extreme poverty. An information meeting on the Committee's work with regard to indigenous populations would therefore be useful insofar as it would make it possible to consider how indigenous peoples' representative bodies could contribute to the Committee's work and how the Committee could assist them.

13. Mr. TAPLIN (International Monetary Fund) said that IMF had recently set up a Poverty Reduction and Growth Facility (PRGF), which, although not explicitly aimed at children, should nevertheless help improve their conditions and reinforce the implementation of the Convention. It was a new mechanism, the product of a concern to integrate IMF programmes to boost growth in low-income countries more fully into poverty-reduction strategies, enable those countries to take greater control over such programmes, and improve their funding. PRGF would operate in parallel with the IMF and World Bank debt relief programme (highly indebted poor countries (HIPC) initiative).

14. The programmes PRGF-funded would be part of a strategic poverty-reduction programme drawn up by the Government of the borrowing country with the active involvement of civil society, NGOs, donors and international institutions. In that way, the initiative would belong both to the country and to the people. The authorities would be required to keep civil society informed about the implementation of the programme and to involve it in follow-up activities, the aim being to make countries more responsible and to motivate them to attain the declared objectives. IMF, the World Bank and other multilateral and bilateral donors would be stakeholders in the process.

15. Ms. NOGUCHI (International Labour Office) thanked the Committee for consistently recommending to countries presenting their reports that they should ratify ILO Conventions Nos. 138 and 182 on child labour.

16. Convention No. 182 on the worst forms of child labour, which had been adopted unanimously in 1999, had to date been ratified by 15 countries, one of which, the United States, had not yet acceded to the Convention on the Rights of the Child. Convention No. 138, on the minimum age of admission to employment, adopted in 1973, had been ratified by 89 of the 175 ILO member States, 20 of which had done so following a campaign for ratification of the Convention, launched in 1999.

17. ILO continued to transmit the Committee's concluding observations to its offices abroad, which took account of them in their multi-sector assistance programmes. It had also kept the two working groups on the draft optional protocol to the Convention on the Rights of the Child informed about the status of ratification of Convention No 182. ILO's work was not only relevant to article 32 of the Convention - the definition of the worst forms of child labour - but related also to articles 33 (narcotics production and trafficking), 34 (sexual exploitation), 35 (sale of and traffic in children) and 38 (recruitment into the armed forces). It was not enough to prohibit child labour, however, and steps needed to be taken in many other areas such as birth registration, education, health and social welfare.

18. ILO continued to collaborate with other organizations. In particular, it had taken part in the World Education Forum, had set up a research project on child labour statistics together with the World Bank and UNICEF, and was liaising with WHO with a view to defining areas of cooperation, in particular regarding hazardous work.

19. Ms. NYGREN-KRUG (World Health Organization) said that WHO had organized a regional training seminar in Europe, as an extension of those it had organized in South-East Asia and at WHO headquarters, on its contribution to the preparation of reports on the implementation of the Convention, the aim being to prepare a handbook on the subject for its own staff and health ministry officials.

20. WHO was making every effort to incorporate human rights and children's rights standards into its public health policies and made use of all existing instruments in implementing its human rights-based health policy. It had extended its definition of health to include the notion of the well-being of the various population groups, including children. The Committee on Economic, Social and Cultural Rights had recently invited WHO to help draft a general comment on the right to health and had taken the opportunity to apply the WHO definition of health and request that the indicators which the comment suggested establishing should be more closely geared to measuring differences between social groups.

21. Any general comments the Committee on the Rights of the Child wished to formulate should be as clear and concise as possible in order to facilitate implementation; WHO would be interested in helping in their preparation.

22. Ms. EL GUINDI asked whether UNICEF had prepared special recommendations on poverty for those taking part in the special session of the General Assembly, to be held in Geneva in June 2000, to assess the implementation of the outcome of the World Summit for Social Development held five years previously in Copenhagen.

23. Mr. FULCI asked what concrete measures UNICEF planned to take to ensure the success of the initiative launched by Mr. Mandela and Ms. Machel.

24. Mr. DOEK asked WHO to provide information on the progress of a project currently under way to detect cases of child abuse and negligence, inter alia. The information would be useful to the Committee in its discussions on article 19 of the Convention.

25. He asked whether ILO's project on child labour statistics was a new one or a continuation of a previous project; he wondered how data on illegal work was collected. He requested ILO to give its views, in writing if possible, concerning the areas covered both by Convention No. 138 and by the two draft optional protocols recently approved by the Commission on Human Rights. He asked what progress had been made in implementing the International Programme on the Elimination of Child Labour (IPEC).

26. Lastly, he asked whether IMF would be able to provide technical assistance to States parties to enable them to make specific budget allocations for services to children in the areas of health, education and social welfare.

27. The transmission of values was an important aspect of the aims of education, referred to in article 29, paragraph 1, of the Convention; the Committee was currently preparing a general comment on the subject and it would be useful if UNESCO could report to the Committee on the outcome of the meeting on values education planned for the autumn.

28. National institutions in a number of countries - non-governmental, governmental and mixed - were doing work relating to human rights. Would it be possible to provide supplementary information on UNICEF projects designed to evaluate those aspects of the work relating specifically to children and improving the coordination and monitoring of everything regarding the implementation of children's rights?

29. He welcomed the publication by the NGO Group for the Convention on the Rights of the Child of a guide that should make NGO cooperation with the Committee more effective.

30. Ms. TIGERSTEDT-TÄHTELÄ said she thought it was encouraging that Governments should be called on to develop a poverty-reduction strategy in cooperation with civil society, as part of the IMF's poverty-reduction programme. The ultimate objective should be to completely eliminate poverty, which was a major obstacle to the enjoyment of human rights. Experience showed that development programmes succeeded in countries where civil and political rights were respected, the affairs of State were well managed and transparency prevailed. The establishment of child protection advisers within United Nations peace-keeping missions was a welcome initiative, and the Committee awaited with interest any report on the outcome.

31. Ms. MOKHUANE welcomed the fact that WHO had adopted a children's rights-based approach and had decided to look into the issue of data on social well-being. Would any indicators in that area be provided? The method used by WHO to break down statistical data by age group prevented the Committee from obtaining a clear idea of adolescent health because a single age group covered the ages of 15 to 49. Generally speaking, the information on mental health provided in government reports and by WHO was not detailed enough. Would it be possible to obtain figures on the proportion of the population with access to mental health-care facilities and on the services and staff available in that sector?

32. Ms. KARP welcomed the fact that a number of agencies had adopted a children's rights-based approach. The Convention was global in nature and it was therefore appropriate to take action of an equally global nature. It might be useful to form a discussion group to consider the role of the various agencies in such an approach. The group could be composed of representatives of the agencies involved, or wishing to be involved, in the process. That would enable resources to be shared and everyone's experience to be exploited.

33. Ms. RILANTANO asked the ILO representative what results had been obtained in the International Programme on the Elimination of Child Labour (IPEC). She underlined the importance of the two goals of poverty eradication and transmission of values.

34. She also asked whether there was any explanation for why IMF aid brought results in some countries but not in others. Were there any particular constraints? She inquired whether members of the NGO Group for the Convention received regular training on monitoring the implementation of children's rights and on preparing reports.

35. Mr. RABAH asked whether any difficulties had been encountered in implementing the ILO programme on the elimination of child labour.

36. Ms. NYGREN-KRUG (World Health Organization), referring to article 19 of the Convention, said that the reports prepared as part of the WHO project on standards for diagnosis would be forwarded to the Committee. On the question of moving towards a global human rights-based approach, she said the process would take time and it was not yet possible to give clear answers. The emphasis would be on standards of non-discrimination, health status and vulnerable and marginalized groups. It was not simply a matter of attaining the highest possible standards of health. Attention also needed to be paid to the right to education, training, privacy and participation, and the right to benefit from scientific advances, all of which were fundamental to a human rights-based concept of health. Health was not a purely medical concept.

37. It would almost certainly be at least two years before WHO's current work on indicators of social well-being would yield any results; WHO had begun to study health systems and assess how far they matched needs, and would attempt to determine how far they guaranteed respect for such rights as the right to dignity and privacy.

38. In the interests of rationalization, WHO would begin to break its statistical data down further, particularly age-group data; it would be helpful to work with the Committee in that area. Lastly, she said WHO would ensure that data on the mental health situation was communicated to the Committee, as requested.

39. Ms. NOGUCHI (International Labour Office) said that it was as yet difficult to report on the progress of IPEC because the programme involved some 90 donor and beneficiary countries and was continually expanding. However, ILO would be able, at future sessions, to give the Committee detailed information on progress in those countries whose reports it was considering. It was difficult to quantify the situation with regard to child labour, but the first results for a limited number of countries were available and would be published on the Internet.

40. The new cooperation project involving ILO, the World Bank and UNICEF aimed chiefly to analyse the situation in more global terms on the basis of a range of information prepared in varying contexts and from several different standpoints. The project was still in its initial phase and no results had yet been published, but the Committee would be kept informed of progress.

41. The ILO's standpoint on the scope of Convention No. 182 was that of the Governments and labour representatives that had adopted the Convention. Differences of opinion had emerged with regard to the involvement of children in armed conflicts, since ILO was considered by some not to be competent in the matter, while others argued that children involved in armed conflicts clearly belonged to the same social groups as those who were susceptible to the worst forms of child labour when there was no armed conflict. Ultimately, it had been decided to include the issue in the scope of Convention No. 182.

42. Prostitution and trafficking in children was a problem that had been addressed by Convention No. 29, of 1930, on forced labour, one of the oldest ILO conventions, but it had been felt that, for children, it would be sensible to group all aspects of the issue in a single instrument.

43. The Copenhagen Summit had made it possible to address the issue of child labour in the context of the international debate on social development; ILO believed that child labour was not so much a consequence of poverty as a factor in perpetuating it since it produced generations of people who were poorly educated and ill-equipped for adult life. It was a vicious circle and it was important for the approach that had emerged in Copenhagen to be reaffirmed at the special session of the General Assembly to be held five years on.

44. Mr. TAPLIN (International Monetary Fund) said that IMF was implementing an assistance programme in the areas of budgeting and accounting and had prepared a code of conduct on fiscal transparency that it was encouraging countries to follow. Aside from the purely technical aspect, the distribution of resources among the various sectors was the product of an internal political process.

45. IMF did not measure the success of its programmes only by looking at macroeconomic and financial criteria and it had noticed that the countries that took advantage of the enhanced structural adjustment facility were those that obtained the best macroeconomic results. With regard to the idea of a discussion group, he said there were already numerous inter-agency working groups and it would be preferable to use existing resources rather than establish a new body.

46. Ms. HOLST (United Nations Educational, Scientific and Cultural Organizations) said that, since Committee members had expressed such interest in the meeting on the transmission of values, UNESCO would communicate the results to them. One UNESCO publication that might interest the Committee was the Dakar Framework for Action, which included a number of annexes that would soon be ready for publication. The Committee might also be interested in the results of an assessment of the situation in various countries regarding education for all by 2000, which were available on UNESCO's website. It did not seem to be a good idea to create a new body for inter-agency cooperation, but the matter deserved consideration, for example as part of the cooperation between UNESCO and UNICEF.

47. Ms. THEYFAZ-BERGMAN (NGO Group for the Convention on the Rights of the Child) emphasized that the Group was not itself an NGO and therefore did not directly provide training. Many of its members did so, however, working either alone or in cooperation with national partners or UNICEF, on such topics as the report-submission process, the monitoring of the Convention at the national level, cooperation with NGOs, and the strengthening of such cooperation at the national and regional levels. Thematic issues also accounted for a large part of training work. The Group was trying to build up its understanding of such issues, and six new NGOs that had recently joined the Group were interested in juvenile justice, sexual exploitation, AIDS, internally displaced persons and refugees. The Group's liaison service staff were frequently called upon to arrange training sessions at the national and international levels or to advise and assist national NGOs. For financial reasons, such assistance was usually given by electronic mail. National NGOs might also be interested in the discussions and workshops organized by subgroups within the Group.

48. Ms. MILLER (United Nations Children's Fund) said that as part of the follow-up conference to the Copenhagen Summit, UNICEF was planning a round table on children's rights and poverty, an issue dealt with in one of the two publications it was preparing specially for the

conference. The other dealt with children's rights and debt reduction, partly by studying the impact of the HIPC initiative and the enhanced structural adjustment facility from a standpoint that focused more closely on development than the IMF approach did.

49. A concrete example of UNICEF's cooperation with the private sector was the Global Alliance for Vaccines and Immunization (GAVI) project, being conducted in partnership with WHO and the Bill and Melinda Gates Foundation. It was an ambitious project, aiming mainly to achieve universal vaccination coverage and research into new vaccines. UNICEF hoped that similar initiatives would be launched in other areas.

50. The idea of assessing national human rights institutions had emerged in 1999 from the special dialogue on children's rights that had taken place during the session of the Commission on Human Rights, between UNICEF and national human rights institutions. UNICEF had subsequently prepared a series of questions to put to such institutions to obtain information on their action on children's rights.

51. With regard to inter-agency cooperation and the idea of forming a discussion group, informal exchanges had already taken place at WHO and the United Nations Development Programme (UNDP), for example, with a view to defining the principles of human rights-based action. A working group had been given the task of studying how to take human rights into account in the United Nations reform process and in the United Nations Development Assistance Framework; the group met regularly in New York, and the Committee could almost certainly send a representative.

The discussion covered in the summary record ended at 12.10 p.m.